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RIGHT TO INFORMATION

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THE ANDHRA PRADESH GAZETTE

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W.No.11 AMARAVATI, MONDAY, MARCH 16, 2026 **G.627**

PART I - NOTIFICATIONS BY GOVERNMENT, HEADS OF DEPARTMENTS AND OTHER OFFICERS

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NOTIFICATIONS BY GOVERNMENT

LABOUR, FACTORIES, BOILERS & INSURANCE MEDICAL SERVICES DEPARTMENT

(LAB.II)

IMPLEMENTATION OF LABOUR CODES - THE INDUSTRIAL RELATIONS CODE, 2020 (CENTRAL ACT 35 OF 2020) - THE INDUSTRIAL RELATIONS (ANDHRA PRADESH) RULES, 2026 - PRELIMINARY NOTIFICATION.

[G.O.Rt.No.41, Labour Factories Boilers & Insurance Medical Services (Lab.II), 13th February, 2026.]

NOTIFICATION

In exercise of the powers conferred by sub-section (1) of section 99 of the Industrial Relations Code, 2020 (35 of 2020)1st read above; and in supersession of the previous Draft Rules notified by the State Government under the Industrial Relations Code, 2020 (35 of 2020) in the reference 2nd read above; and in view of the appointed day notified as 21-11-2025 in the reference 3rd read above; and the Draft of Code on Industrial Relations (Central) Rules, 2025 Dt.30-12-2025 in the reference 4th read above; and in supersession of the previous Rules made by the State Government viz., (1) The Andhra Pradesh Industrial Disputes Rules,1958, (2) The Andhra Pradesh Trade Unions Regulations, 1927 and (3) The Andhra Pradesh Industrial Employment (Standing Orders)Rules,1953 except as respects of things done or omitted to be done before such supersession. The Industrial Relations (Andhra Pradesh) Rules, 2026 are hereby notified, as required by sub-section(1) of said section 99, for information of all persons likely to be affected thereby and notice is hereby given that the said notification will be taken into consideration after the expiry of a period of thirty (30) days from the date on which the copies of the Official Gazette in which this notification is published are made available to the public ;

2. The objections and suggestions, if any, should be addressed to the Commissioner of Labour, Andhra Pradesh, Vijayawada through the dedicated Web Portal of the State Labour Department (https://labour.ap.gov.in/) and the e-mail address: aplabourcodes2026@gmail.com

3. Objections and suggestions, which may be received from any person or organization with respect to the said notification before expiry of the period specified above, will be considered by the State Government

CHAPTER I
PRELIMINARY

1. Short title, extent, application and commencement.—
(1) These rules may be called the Industrial Relations (Andhra Pradesh) Rules, 2026.
(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions.— (1) In these rules, unless the context otherwise requires,—
(a) "Code" means the Industrial Relations Code, 2020 (35 of 2020);
(b)"Commissioner of Labour" means the head of the Labour Department and includes varied designations such as "Special Commissioner of Labour" based on the incumbent Officer;
(c)"Electronically" means any information submitted by email or uploading in the designated portal or digital payment in any mode for the purposes of the Code;
(d) "Form" means a form appended to the Schedule to these rules;
(e) "Section" means a section of the Code.
(f) "Government" means the Government of Andhra Pradesh
(g) "Verification Officer" means an Officer of the State Government appointed under Rule 9 Sub Rule (3)
(2) Words and expressions used in these rules which are not defined, but are defined in the Code, shall have their respective meanings assigned to them in the Code.

3. (1) For the purposes of these rules, with reference to clause (m) of section 2 in the Code, it is hereby specified that—
(a) in relation to an industry, not being an industry referred to in sub clause (ii) thereof, carried on by or under the authority of the State Government, the officer-in-charge of the industrial establishment shall be the employer in respect of that establishment;

4. Memorandum of settlement.– (1) The settlement arrived at in the course of conciliation proceedings or a written agreement between the employer and worker arrived at otherwise than in the course of conciliation proceeding shall be in **Form I**.
(2) The settlement shall be signed, —
(a) by the employer or by his authorized agent, or where the employer is an incorporated company or other body corporate, by the agent, manager or other principal officer of such company or such other body corporate; and
(b) on behalf of workers, by any of the following office bearers of Trade Union, namely: –
(i) President; or
(ii) Vice-President; or
(iii) Secretary (including the General Secretary); or
(iv) Joint Secretary; or
(v) any other office bearer of the Trade Union authorized in this behalf by the President and Secretary of the Union; or
(vi) five representatives of workers duly authorized in this behalf at the meeting of the workers held for the purpose.

(3) In case of an industrial dispute between individual worker and employer, the settlement shall be signed by the employer and the worker concerned.

(4) Where the settlement is arrived at in the course of conciliation proceedings, the conciliation officer shall send a report thereof to the State Government together with a copy of the memorandum of settlement signed by the parties to the dispute.

(5) Where a settlement is arrived at between an employer and his worker otherwise than in the course of conciliation proceedings, the parties to the settlement shall jointly send a copy thereof electronically or by speed post or by registered post, to the concerned Deputy Commissioner of Labour and to the conciliation officer.

(6) The conciliation officer shall file all settlements effected under the Code in respect of industrial disputes in the area within his jurisdiction in the register maintained electronically or otherwise.

(7) The register referred to in sub-rule (6) shall contain the details including serial number, name of the industry, parties to the settlement, date of settlement, remarks and whether settlement was arrived at after the intervention of conciliation officer or by mutual negotiation:

Provided that signature of conciliation officer on the agreement shall not be necessary where the agreement for settlement is arrived at outside conciliation:

Provided further that nothing in this rule shall prohibit a settlement between a worker or workers or Trade Union and an employer on mutually agreed terms and such settlement may be in a format other than Form I.

CHAPTER II
BI-PARTITE FORUMS

5. Works Committee, its constitution and matters related thereto.–

(1) Constitution of Works Committee: Every employer to whom an order made by the State Government under sub-section (1) of section 3 relates, shall forthwith proceed to constitute a Works Committee (hereinafter in this rule referred to as the Committee) to promote measures for securing and preserving amity and good relations between the employer and workers and, to that end, to comment upon matters of common interest or concern, in the manner specified in this rule.

(2) Number of Members: (i) The number of members constituting the Committee shall be fixed so as to afford representation to the various categories, groups and class of workers engaged in, and to the sections, shops or departments of the industrial establishment.

(ii)The total number of members of the Committee shall not exceed twenty.

(iii)The number of representatives of the workers in the Committee shall not be less than the number of representatives of the employer therein.

Provided that the industrial establishment in which women workers are employed shall have adequate representation of women workers in Works Committee and such representation shall not be less than the proportion of women workers to the total workers employed in the industrial establishment.

(3) Representation of Employer: Subject to the provisions of this rule, the representatives of the employer in the Committee shall be nominated by the employer and shall, as far as may be possible, be officials in direct touch with, or associated with, the working of the industrial establishment.

(4) Consultation with Trade Union: Where the workers of the industrial establishment are members of a registered Trade Union or Trade Unions the employer shall ask such registered Trade Union or Trade Unions to inform him in writing as to—

(a) number of the workers who are members of such registered Trade Union or Trade Unions; and

(b) if the employer has reason to believe that the information furnished to him by the registered Trade Union or Trade Unions is false, he may, after informing such registered Trade Union or Trade Unions, refer the matter to the Deputy Commissioner of Labour, who shall, after hearing the parties, decide the matter and his decision shall be final.

(5) Group of Workers' representatives: On receipt of the information called for under sub-rule (4), the employer shall provide for the choosing of worker's representative of the Committee in the following manner, namely:—

(a) in the case of a negotiating union under sub-section (2) or sub-section (3) of section 14, such negotiating union shall nominate the worker's representatives of the Committee;

(b) in the case of the negotiating council under sub-section (4) of section 14, the nomination shall be in such manner that every registered Trade Union representing in the negotiating council shall be represented in the Committee in proportion to the number of workers of the industrial establishment who are members of such Trade Union;

(c) where there is no recognised negotiating union or negotiating council referred to in clauses (a) and (b), the workers of the industrial establishment shall elect amongst themselves the worker's representatives of the Committee:

Provided that the employer may, deploy an electronic platform for conducting the election process over an information technology application, online platform or such other platform to enable as to how the representatives of workers shall be elected for the Committee under this clause:

Provided further that where a registered Trade Union fails to furnish the information called for under sub-rule(4) within one month of the date on which it is so called for, then, such Trade Union shall for the purpose of this rule be treated as if it did not exist:

Provided also that where any reference has been made by the employer under sub-rule (4), the process of choosing the worker's representative relating thereto shall be held on receipt of the decision of the concerned Regional Labour Commissioner (State).

(6) Electoral Constituencies: The employer may, if he thinks fit, direct that the workers shall vote in either by groups, sections, shops or departments.

(7) Qualification of Candidates for election: Any worker, of not less than nineteen years of age and with a service of not less than one year in the industrial establishment may, if nominated as provided in this rule, be a candidate for election as a worker's representative of the Committee:

Provided that such service qualification shall not apply to the first election in an industrial establishment which has been in existence for less than a year.

Explanation.— For the purposes of this sub-rule, a worker who has put in continuous service for not less than one year in two or more industrial establishments belonging to the same employer shall be deemed to have satisfied the service qualification specified therein.

(8) Qualification for voters: All workers who are not less than eighteen years of age and who have put in not less than six months' continuous service in the

industrial establishment shall be entitled to vote in the election of worker's representative of the Committee.

Explanation. — For the purposes of this sub-rule, a worker who has put in continuous service of not less than six months in two or more industrial establishments belonging to the same employer shall be deemed to have satisfied the service qualification specified therein.

(9) Fixation of schedule for Election: (i) The employer shall give a minimum time period of at least three working days for filing of nomination along with other requisite details while fixing a date as the closing date for receiving nominations from candidates for election as worker's representatives of the Committee.

(ii)The date fixed by the employer for holding the election referred to in clause (i) shall not be earlier than three days and later than fifteen days after the closing date for receiving nominations.

(iii)The date of election fixed under sub-rule (i) shall be notified at least seven days in advance to the workers concerned and such notice, which shall specify the number of seats to be elected, shall be affixed on the notice board or electronic notice board of the industrial establishment and given adequate publicity amongst the workers.

(10) Nomination of Candidates for election: (i) Every nomination for election as worker's representative of the Committee shall be made on a nomination paper to be provided by employer and the copies thereof shall be supplied by the employer to the workers requiring them.

(ii)Each nomination paper referred to in sub-rule (10) shall be signed by the candidate to whom it relates and attested by at least two other voters belonging to the group, section, shop or department, which the candidate seeking elections hall represent, and shall be delivered to the employer.

(11) Scrutiny of Nomination papers: (i) On the day following the last day fixed for filing nomination papers, the nomination papers shall be scrutinized by the employer in the presence of the candidates and the attesting persons and those nominations which are not valid shall be rejected.

(ii) A nomination paper shall be held to be not valid under sub-rule (11), if—

(a) the candidate nominated is ineligible for being a candidate under sub-rule (7); or

(b) the requirements of sub-rule (10) have not been complied with:

Provided that where a candidate or an attesting person is unable to be present at the time of scrutiny, he may send a duly authorized nominee for the purpose.

(12) Withdrawal of Candidates: Any candidate whose nomination for election has been accepted may withdraw his candidature within forty-eight hours of the completion of scrutiny of the nomination papers.

(13) Voting in Election: (i) If the number of candidates who have been validly nominated for election as worker's representative of the Committee is equal to the number of seats, the candidates as such shall be forthwith declared as duly elected.

(ii)Where, in any industrial establishment, the number of candidates validly nominated for election as worker's representative of the Committee is more than the number of seats allotted to it, voting shall take place on the day fixed for election.

(14) Officers of the Committee: (i) The Committee shall have among its office-bearers a Chair person, a Vice-Chairperson, a Secretary and a Joint-Secretary.

(ii) The Chairperson of the Committee shall be nominated by the employer from amongst the employer's representatives of the Committee and he shall, as far as possible, be the head of the industrial establishment.

(iii) The Vice-Chairperson shall be elected by the members of the Committee representing the workers, from amongst themselves

Provided that in the event of equality of votes in the election of the Vice-Chairperson, the matter shall be decided by a draw of lot.

(iv) The Secretary and the Joint-Secretary of the Committee shall be elected every year.

(v) The Committee shall elect the Secretary and the Joint Secretary provided that where the Secretary is elected from amongst the representatives of the employers, the Joint Secretary shall be elected from amongst the representatives of the workers and *vice versa*:

Provided that the post of the Secretary or the Joint Secretary, as the case may be, shall not be held by a representative of the either the employer or the workers for three consecutive years:

Provided further that the employer's representatives shall not take part in the election of the Secretary or Joint Secretary, as the case may be, and only the representatives of the workers shall be entitled to vote in elections for the post of Secretary or Joint Secretary:

Provided also that in the event of equality of votes in an election under this sub-rule, the matter shall be decided by a draw of lot.

(15) Term of Office: (i) The term of office of the members of the Committee other than a member chosen to fill a casual vacancy shall be three years.

(ii)Every member chosen to fill a casual vacancy shall hold office for the remaining period of the term of his predecessor.

(iii)The membership of any member, who fails to attend three consecutive meetings of the Committee without obtaining leave from the Committee, shall stand forfeited.

(16) Vacancies: In the event of worker's representative ceasing to be a member under clause (iii) of sub-rule (15) or ceasing to be employed in the industrial establishment or in the event of his resignation, death or otherwise, his successor shall be chosen in accordance with the provisions of this rule for the remaining period of the Committee from the same group to which the member vacating the seat belonged.

(17) Power to Co-Opt: The Committee shall have the right to co-opt persons employed in the industrial establishment having particular or special knowledge of a matter under discussion in a consultative capacity and such co-opted member shall not be entitled to vote and shall be present at meetings only for the period during which the particular question is before the Committee.

(18) Meetings: (i)The Committee may meet as often as necessary as but not less often than once in three months.

(ii)The Committee shall at its first meeting regulate its own procedure.

(19) Facilities for meetings, etc.: (i) The employer shall provide accommodation for holding meetings of the Committee and shall also provide all necessary facilities to the Committee and to its members for carrying out the work of the Committee.

(ii) The Committee shall ordinarily meet during working hours of the industrial establishment concerned on any working day and the representatives of the workers shall be deemed to be on duty while attending the meeting.

(iii) The Secretary of the Committee may with the prior concurrence of the Chairperson, put up notice regarding the functions of the Committee on the notice board of the industrial establishment.

(20) Annual Return: The employer shall submit the details of the constitution and the functioning of the Committee as a part of unified annual return provided in the rules made in this behalf under the Occupational Safety, Health and Working Condition Code, 2020 (37 of 2020).

(21)Dissolution of Works Committee: The State Government, or the officer authorised in its behalf, may after making such inquiry as it or he may deem fit, dissolve any Committee at any time, by an order for reasons to be recorded in writing, on being satisfied that the Committee has not been constituted in accordance with the provisions of this rule or that not less than two-thirds of the number of representatives of the workers have without any reasonable justification failed to attend three consecutive meetings of the Committee or that the Committee has, for any other reason, ceased to function:

Provided that where the Committee is dissolved under this sub-rule, the employer, may, and if so required by the State Government or, as the case may be, by such officer, shall take steps to re-constitute the Committee in accordance with this rule.

6. Choosing of members from employers and workers for Grievance Redressal Committee.– (1) The Grievance Redressal Committee (hereinafter in this rule referred to as the Grievance Committee) in an industrial establishment employing twenty or more workers, shall consist of equal number of members representing the employer and workers, which shall not exceed ten.

(2) The representatives of the employer in the Grievance Committee shall be nominated by the employer and shall, as far as may be possible, be officials in direct touch with or associated with the working of the industrial establishment, preferably the heads of major departments of the industrial establishment.

(3) The worker's representative of the Grievance Committee shall be chosen in the following manner, namely: —

(a) where there is a negotiating union under sub-section (2) or sub-section (3) of section 14, such negotiating union or negotiating council, as the case may be, shall nominate the worker's representatives of the Grievance Committee;

(b) in the case of a negotiating council under sub-section (4) of section 14, the nomination shall be in such manner that every registered Trade Union representing in the negotiating council shall be represented in the Grievance Committee in proportion to the number of workers of the industrial establishment who are members of such Trade Union;

(c) where there is no recognized negotiating union or negotiating council referred to the clauses (a) and (b),the workers of the industrial establishment shall choose amongst themselves the worker's representatives of the Grievance Committee:

Provided that the employer may, deploy an electronic platform for choosing worker's representatives under this clause, over an information technology application, online platform or such other like platform:

Provided further that there shall be adequate representation of women workers in the Grievance Committee and such representation shall not be less than the proportion of women workers to the total workers employed in the industrial establishment.

(4) The tenure of the members of the Grievance Committee shall be three years.

(5) Where there is no recognized negotiating union or negotiating council and if any dispute arises regarding choosing of the worker's representative to the Grievance Committee, the matter may be referred to the concerned Deputy Commissioner of Labour, who shall, after hearing the parties, decide the matter, whose decision shall be final.

7. Application in respect of any dispute to be filed before the Grievance Redressal Committee by an aggrieved worker.– (1) Any aggrieved worker may file an application stating his grievance therein and dispute before the Grievance Redressal Committee giving name, designation, worker code or token number, department where he is posted, length of his service in years, category of worker, address for correspondence, contact number, details of grievances and the relief sought there for.

(2) The application referred to in sub-rule (1) may be sent electronically or otherwise.

(3) The application referred to in sub-rule (1) shall be filed within one year from the date on which the cause of action of such dispute arose.

8. Manner of filing application for the conciliation of grievance as against the decision of the Grievance Redressal Committee to the conciliation officer.– Any worker who is aggrieved by the decision of the Grievance Redressal Committee or whose grievance is not resolved by the said Committee within thirty days of receipt of the application, may file an application online on designated portal of the State Labour Department, or by registered post or speed post, or in person, within a period of sixty days from the date of the decision of the Grievance Redressal Committee or from the date on which the period specified in sub-section (*6*) of section 4 expires, as the case may be, to the conciliation officer through the Trade Union, of which he is a member:

Provided that in case of manual receipt of such application through registered post or speed post or in person, the conciliation officer shall get the same digitized and enter the particulars of the application in the online mechanism under intimation to the Trade Union and worker.

CHAPTER III
TRADE UNIONS

9. Manner of Recognition of Negotiating Union or Negotiating Council.-

(1). Matters for negotiation between negotiating union or negotiating council and employer for the workers employed in the industrial establishment under sub-section (1) of section 14.- The matters pertaining to workers which the negotiating union or the negotiating council, as the case may be, shall negotiate with the employer of the industrial establishment under sub-section (1) of section 14 are specified, as below: -

(i) classification of grades and categories of workers;

(ii) order passed by an employer under the standing orders applicable in the industrial establishment;

(iii) wages of the workers including their wage period, dearness allowance, bonus, increment, customary concession or privileges, compensatory and other allowances;

(iv) hours of work of the workers, rest days, number of working days in a week, rest intervals, working of shifts;

(v) leave with wages and holidays;

(vi) promotion and transfer policy and disciplinary procedures;

(vii) quarter allotment policy for workers;

(viii) safety, health and working conditions and related standards;

(ix) such matters pertaining to conditions of service and terms of employment of the workers which are not covered in the foregoing clauses; and

(x) any other matter which is agreed between employer of the industrial establishment and negotiating union or negotiating council, as the case may be.

(2). Criteria for recognizing a single registered Trade Union of workers as sole negotiating union of workers under sub-section (2) of section 14.- Where there is only one registered Trade Union operating in an industrial establishment having its membership not less than 30 percent of the total workers employed in the industrial establishment, then the employer of such industrial establishment shall recognize such Trade Union as sole negotiating union of the workers.

(3). Manner of verification of membership of Trade Unions in an industrial establishment under sub-sections(3) and (4) of section 14.- (i)(a) The Commissioner of Labour shall appoint a verification officer (as defined in Rule 2 (g)) for the purpose of verification of membership of the Trade Unions in the industrial establishment who shall not have any interest with any of the Trade Unions in the industrial establishment, whose member ship verification is to be carried out by him:

Provided that the process for recognition of the negotiating union or the negotiating council, as the case maybe, shall commence three months before the expiry of the tenure of the existing recognition period of the negotiating union or the negotiating council, as the case may be, recognized by the employer under the Code.

(b) The verification officer may utilize the services of other officers to assist him depending upon the quantum of work of membership verification.

(c) The verification officer shall carry out the work of membership verification in the industrial establishment within the time as determined by the State Government.

(ii) The employer of the industrial establishment shall bear all expenses and make arrangements in connection with the verification of membership of trade unions under clause (i).

(iii) (a) The Trade Unions which satisfy the following conditions may submit an application to the employer of the industrial establishment to accord status of negotiating union or the representatives of negotiating council of the workers, as the case may be, namely:-

Such Trade Union has a valid registration under the Trade Unions Act, 1926 (16 of 1926) and continuing as such or has the registration under the Industrial Relations Code, 2020 (35 of 2020), as the case may be; and

(b) The application for recognition made by Trade Union shall be accompanied with a copy of the registration certificate, a copy of list of members, details of the membership subscription and a copy of latest annual return of the trade union submitted to the Registrar of Trade Unions.

(iv) (a) In case the negotiating union or negotiating council, as the case may be, has been constituted under the Code, the employer of the industrial establishment shall initiate action before expiry of the tenure of negotiating union or negotiating council, as the case may be, sufficiently in advance but not later than three months before the expiry of the tenure of negotiating union or negotiating council, as the case may be;

(b) The date of reckoning for the purpose of verification of membership of the trade unions shall be the 1st day of the month in which the process of verification commenced;

(c) The employer of the establishment shall forward the documents and records submitted by trade unions, to the verification officer.

(d) On receipt of the documents and records, the verification officer shall scrutinize the records and documents submitted by the trade union to ascertain the status of registration of trade unions and related matters;

(e) The verification officer shall hold meeting with representatives of employer of industrial establishment and all participating Trade Unions to decide about the process of verification of the membership of Trade Unions through secret ballot.

(f) The employer may, in consultation with the verification officer deploy an electronic process for conducting the election over an information technology application, online platform or like other platform.

(4). Verification of membership of Trade Unions through secret ballot.- (i) The verification officer shall convene meeting of representatives of all registered Trade Unions functioning in the industrial establishment at least sixty days before the date of actual voting, to decide -

(a) publication of voters list;

(b) date, time, mode of voting, place of voting;

(c) date, time and place of counting; and

(d) other modalities relating to secret ballot.

(ii) The verification officer shall cause the minutes of the meeting to be prepared and signed by all participating Trade Unions. All participating Trade Unions shall be allotted symbols in the same meeting. If no decision could be taken regarding date, time, mode of voting, place of voting, allotment of symbols, date, time and place of counting and like other matters in the meeting, then, the decision of the verification officer shall be final and he shall publish the schedule, program and procedure of such secret ballot election.

(iii) All workers whose names are borne on the muster roll of the industrial establishment on the date of reckoning shall be eligible to cast their vote.

(iv) The voters list shall be prepared by the employer of the industrial establishment on the basis of names of the workers borne on the muster roll referred to in clause (iii) and the voters list shall contain the name, father's name, designation, worker number/identity card number issued by the employer and place of posting of the worker. The final voter list shall be published by the employer after obtaining the approval of verification officer and shall be displayed at notice board at the main entrance and website, if any, of the industrial establishment. A copy of such voters list shall also be sent to the participating Trade Unions by hand or by registered post or through electronic mode.

(v) The verification officer shall display the list of the name of the participating Trade Unions with the symbol allotted to them on the notice board at the main entrance and website, if any, of the industrial establishment within two days of finalization of the list.

(vi) The voting and counting of votes shall be held on the date, time and place fixed by the verification officer under the supervision of the verification officer and during the counting, agents of all participating Trade Unions shall be allowed to remain present.

(vii) After final counting of votes, the result shall be declared by the verification officer. The result sheet shall contain the name of all Trade Unions participated in election, total number of votes polled and the number of votes cast in favor of each of the trade unions which participated in the election.

(5). Verification report to the employer. -The verification officer shall submit verification report along with the result sheet to the employer of industrial establishment.

(6). Recognition of Trade Union as negotiating union or constituents of negotiating council.- (i) On the basis of verification report submitted by verification officer, the employer of the industrial establishment shall grant recognition to a Trade Union as a negotiating union or a constituent of negotiating council as per provisions of subsection(3) or sub-section (4) of section 14 of the Code, as the case may be.

(ii) Any recognition either as negotiating union or the negotiating council shall be valid for three years from the date of recognition or constitution or such further period not exceeding five years, in total, as may be mutually decided by the employer and the Trade Union, as the case may be:

(7). Facilities to be provided by industrial establishment to a negotiating union or negotiating councils under subsection (7)of section14.- In an industrial establishment, where there is a negotiating union or negotiating council, as the case may be, the employer of such industrial establishment shall provide the following facilities to the negotiating union or negotiating council, as the case may be, namely: -

(i) notice board for the purpose of displaying information relating to activities; of negotiating union or negotiating council, as the case may be;

(ii) venue and necessary facilities for holding discussions by the negotiating union or negotiating council, as the case may be, as per schedule and agenda to be settled between employer of the industrial establishment and the negotiating union or negotiating council, as the case may be;

(iii) venue and necessary facilities for holding discussions amongst the members of the negotiating union or constituents of negotiating council, as the case may be;

(iv) facility for entrance of the office bearers of the negotiating union or negotiating council, as the case maybe, in the industrial establishment for the purposes of ascertaining the matters which are relating to working conditions of the workers;

(v) employer of the industrial establishment shall deduct subscription of the members of the Trade Union on the basis of the written consent of the worker;

(vi) when the office bearers of the negotiating union or negotiating council shall be holding meetings with the employer as per agreed schedule between employer and such employed office bearers shall be treated as on duty; and

(vii) employer of an industrial establishment, having three hundred or more workers, shall provide suitable office accommodation with necessary facilities to the negotiating union or negotiating council, as the case may be.

10. Recognition of Trade Union at State Level as per Section 27 (2) Code:

(i) Where the State Government is of the opinion that it is necessary or expedient that a Trade Union or Federation of Trade Unions to be recognised as State Level Trade Union, it may recognise such State Level Trade Unions or Federations of Trade Unions registered under the Code and which have presence in at least 1/3rd of the Districts in the State.

(ii) The State Government may notify by general or special order, the criteria and method of verification and other incidental matters, for granting the status of State Level Trade Unions or Federations of Trade Unions.
(iii) The Commissioner of Labour shall be the authority to decide any dispute arises in relation to the recognition

11. Manner of making application for adjudication of dispute before Tribunal under sub-section (1) of section22.- Where any dispute arises between –
(i) one Trade Union and another; or
(ii) one or more workers who are members of Trade Union and the Trade Union regarding registration, administration or management or election of office bearers of the Trade Union; or
(iii) one or more workers who are refused admission as members and the Trade Union; or
(iv) where the dispute is in respect of a Trade Union which is a federation of Trade Unions and office bearer authorized in this behalf by the Trade Union, then, the aggrieved person may make application to the Tribunal having jurisdiction, in **Form II** within a period of one year from the date on which the dispute arises, electronically or by registered post or by speed post or in person.

CHAPTER IV
STANDING ORDERS

12. Model Standing Orders.– (1) The Model Standing Orders for the purposes of the Code in respect of industrial establishments in, manufacturing sector and service sector shall be those set out in Schedule-A, and Schedule-B appended to these Rules.

(2). Forwarding of information to certifying officer.– (1)If the employer adopts the model standing orders of the **Central** Government referred to in Section 29 with respect to matters relevant to his industrial establishment or undertaking, then, he shall intimate the concerned certifying officer electronically, or in person, or by speed post or by registered post, the specific date from which the provisions of the model standing orders which are relevant to his establishment or undertaking have been adopted.
(2) The model standing order adopted under sub-rule (1) shall apply to the industrial establishment, and to all its units in the country.
(3) On receipt of information under sub-rule (1), the certifying officer shall enter the details of the industrial establishment which has adopted the model standing order in the register maintained under rule 20.
(4) Where, the certifying officer observes that the industrial establishment, which has intimated adoption of model standing orders, is also engaged in activities other than for which model standing orders have been adopted, then, he may, within a period of thirty days from such receipt of intimation of model standing orders so adopted, direct such employer to include or adopt certain provisions which are relevant to his industrial establishment and indicate those relevant provisions and direct such employer to comply the same within a period of thirty days from the date of the receipt of such direction and send a compliance report only in respect of those provisions which the certifying officer has so directed to get included.
(5) If no observation is made by the certifying officer within a period of thirty days of the receipt of the information as specified in sub-rule (1), then, the model standing order shall be deemed to have been certified by the certifying officer.

(6) The provisions of the model standing orders adopted in accordance with the provisions of these rules shall remain in force with effect from the date specified in sub-rule (1).

(7) Without prejudice to the provisions of this rule, the certifying officer shall not raise any observation if the industrial establishment is engaged in activities which are wholly covered by the activities of the industrial establishment to which the standing orders apply.

13. Choosing of representatives of workers of the industrial establishment or undertaking for issuing notice by Certifying Officer where there is no Trade Union.– (1) Where there is no Trade Union as is referred to in clause (i)of sub-section (5) of section 30, then, the certifying officer or any authorized officer in his behalf, shall call a meeting of the workers to choose three representatives, to whom he shall, upon their being chosen, issue notice along with a copy of the standing order or modification, as the case may be, in English, as well as the translation thereof in the language understood by the majority of the workers, requiring comments or suggestions, if any, which the workers may desire to make to the draft standing orders to be submitted within fifteen days from the date of receipt of such notice.

(2) The Trade Union or negotiating union or constituent of negotiating council shall be given a copy of the draft standing orders or modification, as the case may be, in English, as well as the translation thereof in the language known by the majority of the workers, for seeking their comments or suggestions, if any, within fifteen days from the date of the receipt of the notice in this rule.

14. Authentication of certified standing order. — The standing orders or the modifications in the standing orders certified in pursuance of sub-section (8) of section 30 shall be authenticated by the certifying officer and shall be sent electronically, and a hard copy thereof by registered post or speed post, within seven days from the date of such authentication to all concerned, that is to say, the employer and all the registered Trade Unions or chosen representative of workers:

Provided that there shall not be any requirement of authentication under this rule in cases of deemed certification under sub-section (3) of section 30 and in cases where the employer has certified adoption of model standing orders.

15. Statement to accompany draft standing orders. - (1) The statement to be accompanied with a draft standing order shall contain, the particulars such as name of the industrial establishment or undertaking concerned, address, email address, contact number and the strength and details of workers employed therein including particulars of Trade Union, if any, to which such workers belong.

(2) The statement to be accompanied with a draft modification in an existing standing order, shall contain the particulars of such standing order which is proposed to be modified along with a tabular statement containing details of each of the relevant provision of that standing order in force and the proposed modification therein and reasons therefore.

(3) The statement referred to in sub-rules (1) and (2) shall be signed by a person authorized by the industrial establishment or undertaking.

(4) The model standing orders, if modified, shall also apply to all the units of the industrial establishment or undertaking in the country.

16. Conditions for submission of draft standing orders in similar establishment.— In case of group of employers engaged in similar industrial establishments, they may, after consultation with the concerned Trade Union, submit a joint draft of standing order under section 30 and for the purpose of proceedings specified in sub-sections (1), (5), (6),(8) and sub-section (9) thereof:

Provided that the joint draft of standing orders, in cases of group of employers engaged in similar industrial establishments, shall be drafted and submitted to the Additional Commissioner of Labour in the Office of the Commissioner of Labour, who shall, in consultation with the concerned certifying officers, certify or refuse to certify such joint draft standing orders, after recording reasons therefore:

Provided further that certifying officer shall give notice to all the concerned parties, and ensure reasonable opportunity of being heard before certifying the standing orders.

17. Disposal of appeal by appellate authority.— (1) An employer or Trade Union or the negotiating union or negotiating council, or where there is no negotiating union or negotiating council in an industrial establishment or undertaking, any union or such representative body of the workers of the industrial establishment or undertaking, may prefer an appeal against the order of the certifying officer made under sub-section (5) of section 30 within sixty days of the receipt of such order, and for that purpose draw up a memorandum of appeal in a tabular form stating there in the provisions of the standing orders which are required to be altered or modified or deleted or added along with the reasons therefore, and file it electronically or in person with the appellate authority.

(2) The appellate authority shall fix a date for the hearing of the appeal and direct notice thereof to be given, —

(a) where the appeal is filed by the employer, to Trade Union or the negotiating union or negotiating council, as the case may be, or where there is no negotiating union or negotiating council in an industrial establishment or undertaking, any union or such representative body of the workers of the industrial establishment or undertaking;

(b) where the appeal is filed by a Trade Union or the negotiating union or negotiating council, to the employer and the negotiating union or the negotiating council or all other Trade Unions of the workers of the industrial establishment, as the case may be, or where there is no negotiating union or negotiating council in an industrial establishment or undertaking, any union or such representative body of the workers of the industrial establishment or undertaking; and

(c) where the appeal is filed by a representative body of the workers, to the employer and other Trade Unions of the workers of the industrial establishment, or where there is no trade union of the workers in an industrial establishment or undertaking, any other worker who joins as a party to the appeal.

(3) The appellant shall furnish each of the respondents with a copy of the memorandum of appeal referred to in sub-rule(1).

(4) The appellate authority may at any stage of the proceeding call for any evidence, if it considers necessary for the disposal of the appeal.

(5) On the date fixed under sub-rule (2) for the hearing of the appeal, the appellate authority shall take such evidence as it may have called for or considers relevant, if produced, and after hearing the parties, dispose of the appeal.

18. Sending of order and maintaining of standing orders. - (1) The order of the appellate authority shall be sent electronically or otherwise within three days of the disposal of appeal to the employer or Trade Union or the negotiating union or negotiating council or any union or representative body of the workers, as the case may be, by whom the appeal has been filed.

(2) The text of the standing orders as finally certified or deemed to have been certified or adopted model standing orders under this Chapter, shall be maintained by the employer in English and in Telugu.

(3) The certified standing orders shall be displayed in legible condition by the employer on the special board to be maintained for the purpose at the entrance or near the entrance of the industrial establishment through which majority of workers enter and may also be posted on the designated portal/website, if any, of such industrial establishment.

19. Register for filing finally certified copy of standing orders.— (1) The certifying officer shall maintain electronically, a register in **Form-III**, of all finally certified standing orders or deemed to have been certified or adopted model standing orders, of all the concerned industrial establishments, which shall, contain details of –

(a) the unique number assigned to each standing order;
(b) name of industrial establishment;
(c) nature of industrial establishment;
(d) date of certification or deemed certification or date of adoption of model standing orders by each establishment or undertaking;
(e) the areas of operation of the industrial establishment; and
(f) such other details as may be relevant and helpful in retrieving the standing orders and create a data base of such of all standing orders.

(2) The certifying officer shall furnish a copy of the certified standing orders or deemed certified standing orders referred to in sub-rule (1) to any person applying there for, on payment of two rupees per page of the certified standing orders or deemed certified standing orders, as the case may be.

(3) The payment of fee for getting certified standing orders may also be made through electronic mode.

20. Application for modification of standing orders.– The application for modification of an existing standing orders under sub-section (2) of section 35 shall be submitted electronically or in person or by registered post or speed post and shall contain the particulars of such standing orders which are proposed to be modified along with a tabular statement containing details of each of the relevant provisions of standing order in force, and proposed modifications therein, reasons thereof and the details of registered Trade Unions operating therein, and such statement shall be signed by a person authorized by the industrial establishment or undertaking or workers or a Trade Union or other representative body of the workers, as the case may be, who has submitted such application for modification.

CHAPTER V
NOTICE OF CHANGE

21. Notice for change proposed to be effected.– (1) Any employer intending to effect any change in the conditions of service applicable to any worker in respect of any matter specified in the Third Schedule to the Code, shall give notice in **Form-IV** electronically or by registered post with acknowledgement due or in person, to such workers likely to be affected by such change and shall also upload such notice on the designated portal, if any, of the industrial establishment.

(2) The notice referred to in sub-rule (1) shall be displayed conspicuously by the employer on the notice board or on the electronic notice board at the main entrance of the industrial establishment:

Provided that when there is a registered Trade Union or registered Trade Unions or a negotiating union or negotiating council relating to the concerned industrial establishment, a copy of such notice shall also be served in the manner

specified in sub-rule (1) on the secretary of such Trade Union or each of the secretaries of such Trade Unions, or secretary of the negotiating union or constituent of negotiating council, as the case may be.

CHAPTER VI
VOLUNTARY REFERENCE OF DISPUTES TO ARBITRATION

22. Form of arbitration agreement and manner of signing by parties thereto. — (1) The employer and workers may agree to refer any industrial dispute to arbitration by entering into an arbitration agreement as provided in **Form- V**.

(2) The arbitration agreement referred to in sub-rule (1) shall be signed by the parties to the said agreement and it shall be accompanied by the consent, either in writing or electronically, of arbitrator or arbitrators.

(3) The arbitration agreement referred to in sub-rule (1) shall be signed

(i) in case of an employer, by the employer himself, or when the employer is an incorporated company or other body corporate, by the agent, manager or other officer of the company or corporation authorized for such purpose;

(ii) in the case of workers, by the officer of the registered Trade Union authorized in this behalf or by five representatives of the workers duly authorized in this behalf at a meeting of the concerned workers held for such purpose; and

(iii) in the case of an individual worker, by such worker himself or by an officer of the registered Trade Union, of which the worker is a member, or by another worker in the same establishment duly authorized by him in this behalf.

Explanation.— For the purposes of this rule, the term — "officer",–

(a) in case of an association of the employers, means any officer of such association of the employers authorized for such purpose; and

(b) in case of a registered Trade Union, means any of the following officers of such Trade Union authorized for such purpose, namely:–

(i) President; or

(ii) Vice-President; or

(iii) Secretary (including the General Secretary); or

(iv) a Joint Secretary; or

(v) any other officer of such Trade Union authorized in this behalf by the President and Secretary of such Trade Union.

23. Issuing of notification.- Where an industrial dispute has been referred to arbitration and the State Government is satisfied that the persons making the reference represent the majority of each party, it shall publish a notification in this behalf in the Official Gazette and upload it on the website of the Ministry of Labour and Employment, for the information of the employers and workers who are not parties to the arbitration agreement but are concerned in the dispute so that they may present their case before the arbitrator or arbitrators appointed for such purpose.

24. Choosing of representatives of workers where there is no Trade Union.– Where there is no Trade Union, the representative of workers to present their case before the arbitrator or arbitrators, in pursuance of clause (c) of the proviso to sub-section (5) of section 42, shall be chosen by a resolution passed by the majority of concerned workers in **Form- VI** authorizing therein to represent the case and the workers shall be bound by the acts of their representatives who have been so chosen to represent before the arbitrator or arbitrators, as the case may be.

CHAPTER VII
MECHANISM FOR RESOLUTION OF INDUSTRIAL DISPUTES

25. Holding of conciliation proceedings, full report, and application and the manner of deciding such application. — (1) Where the conciliation officer receives any—

(a) notice of a strike or lockout given under rule 27 or rule 28; or
(b) application in respect of an existing industrial dispute; or
(c) information regarding apprehended industrial dispute,

then, he shall—

(i) in case of clause (a), enter the details on the designated portal and hold conciliation proceedings and inform the concerned parties the date of sitting for such purpose;
(ii) in case of clause (b), enter the details on the designated portal and examine the application and if he finds that such dispute pertains to the jurisdiction of Central Government, transfer the application to the concerned authority or otherwise proceed with the application and hold the conciliation in respect thereof; and
(iii) in case of clause (c), enter the details on the designated portal and issue a fresh notice to the parties concerned declaring his intention to commence conciliation proceedings.

(2) The employer's representative and the worker's representative shall, on receipt of the notice referred to in sub-rule(1), submit their respective statements in respect of the said dispute in the first meeting of the conciliation proceedings.

(3) The conciliation officer shall, without delay, ascertain the facts and circumstances relating to the dispute and enquire into all matters affecting the merits and right settlement thereof and hold conciliation proceedings between the parties to the dispute and may do all such things as he thinks fit for the purpose of inducing the parties to come to a fair and amicable settlement of the dispute.

(4) If no settlement is arrived at in the conciliation proceedings referred to in sub-rule (3), the conciliation officer shall, within seven days from the date on which the conciliation proceedings are concluded, upload a report on designated portal of the State Labour Department and forward a copy thereof through electronic mode or by registered post or speed post or in person to the parties to the dispute and to the Government. The report shall be made accessible to the parties concerned on the said designated portal by the Ministry of Labour and Employment.

(5) If a settlement of the dispute or of any of the matters in dispute is arrived at in the course of the conciliation proceedings, the conciliation officer shall, apart from submitting a report thereof to the appropriate Government or an officer authorized in this behalf by that Government along with a memorandum of the settlements signed by the parties to the dispute, also upload such report and memorandum of settlement on the designated portal of State Labour Department.

(6) The report referred to in sub-rule (4) shall, *inter alia*, contain the submissions of the employer, worker or Trade Union, as the case may be, involved in the dispute and it shall also contain the efforts made by the conciliation officer to bring the parties to an amicable settlement, reasons for refusal of the parties to resolve the dispute and the conclusion arrived at by the conciliation officer.

(7) All the evidences before the conciliation officer, except the documentary evidence, shall be filed in the form of affidavit and the parties to the dispute shall also file the application or, as the case may be, reply or rejoinder thereof in the form of an affidavit.

26. Application for recovery of dues. — (1) Where any money is due from an employer to a worker or a group of workers under a settlement or an award or under the provisions of Chapter IX or Chapter X of the Code, the worker or the group of workers, as the case may be, may apply in **Form VII** for the recovery of such money due:

Provided that in the case of a person authorized in writing by the worker, or in the case of the death of the worker, the assignee or heir of the deceased worker shall make the application in **Form VIII**

(2) Where any worker or a group of workers is entitled to receive from the employer any money or any benefit which is capable of being computed in terms of money, the worker or the group of workers, as the case may be, may apply to the Tribunal having jurisdiction, in **Form IX** for the determination of the amount due or, as the case may be, the amount at which such benefit should be computed, and such Tribunal shall decide the application within a period not exceeding three months from the date on which the application is filed:

Provided that in the case of the death of a worker referred to in this sub rule, the application shall be made in **Form X** by the assignee or heir of the deceased worker.

CHAPTER VIII
STRIKES AND LOCK-OUTS

27. Number of persons by whom notice of strike shall be given, person or persons to whom such notice shall be given and manner of giving such notice.– (1) The notice of strike referred to in sub-section (1) of section 62 shall be given to the employer of an industrial establishment in **Form- XI**, which shall be duly signed by the Secretary of the concerned registered Trade Union or where there is no registered Trade Union, by five elected representatives of the workers giving the notice relating to the concerned industrial establishment, endorsing the copy there of electronically or by registered post or speed post to the concerned conciliation officer, and the Commissioner of Labour.

(2) The date of receipt of the notice referred to in sub-section (1) shall be the date of receiving the notice for the purposes of clause (a) of sub-rule (1) of rule 23.

(3) If the employer of an industrial establishment receives any notice of strike as referred to in sub-section (1) of section 62 from any person employed by him, then he shall, within five days from the date of receiving of such notice, intimate the same electronically to the concerned conciliation officer and the Commissioner of Labour.

28. Notice of lock-out and authority.– (1) The notice of lock-out referred to in sub-section (2) of section 62 shall be given by the employer of an industrial establishment in **Form-XII** to the Secretary of every registered Trade Union relating to such industrial establishment by registered post or speed post or electronically, endorsing a copy thereof to the concerned conciliation officer, and the Commissioner of Labour electronically.

(2) The notice referred to in sub-rule (1) shall be displayed conspicuously by the employer on a notice board or on electronic board at the main entrance to the industrial establishment and a copy of the said notice may also be posted on the designated portal, if any, of such industrial establishment and the date of receipt of such notice by the conciliation officer shall be the date of receiving the notice for the purposes of clause (a) of sub-rule (1) of rule 25.

(3) If the employer gives to any person employed by him a notice of lock-out, then he shall, within five days from the date of such notice, intimate electronically the same to the concerned conciliation officer and the Commissioner of Labour.

CHAPTER IX
LAY-OFF, RETRENCHMENT AND CLOUSURE

29. Service of notice before retrenchment of worker.– If any employer desires to retrench any worker employed in his industrial establishment who has been in continuous service for not less than one year under him, then, such employer shall give prior notice of such retrenchment in **Form-XIII** to the State Government and to the concerned Deputy Commissioner of Labour, Joint Commissioner of Labour concerned and the Commissioner of Labour through e-mail or, by registered or speed post, in the following manner, namely: —

(a) where notice is given to a worker notice of retrenchment shall be sent within three days from the date on which notice is served on the worker;

(b) where no notice is given to the worker and he is paid one month's wages in lieu thereof, notice of retrenchment shall be sent within three days from the date on which such wages are paid; and

(c) where retrenchment is carried out under an agreement, which specifies a date for the termination of service, notice of retrenchment shall be sent so as to reach the State Government and a copy thereof to the concerned Deputy Commissioner of Labour, at least one month before such date:

Provided that if the date of termination of service agreed upon is within thirty days of the agreement, the notice of retrenchment shall be sent to State Government along with a copy thereof to the Deputy Commissioner Labour concerned within three days of the agreement.

30. Manner of giving an opportunity for re-employment to retrenched workers.– (1) The employer shall prepare a list of all workers in the particular category from which retrenchment is contemplated, arranged according to the seniority of their service in that category and cause a copy thereof to be pasted on a notice board in a conspicuous place in the premises of the industrial establishment at least seven days before the actual date of retrenchment.

(2) When any vacancy occurs in an industrial establishment and there are workers of such industrial establishment retrenched within one year prior to the proposal for filling such vacancies, then, the employer of such industrial establishment shall, if such workers are citizens of India and have given their willingness for employment, give them preference over other on the basis of their service seniority.

(3) The employer shall arrange for the display on a notice board in a conspicuous place in the premises of the industrial establishment the details of vacancies at least fifteen days before the date on which such vacancies are to be filled and shall also give intimation of those vacancies by registered post or speed post or through e-mail to every one of all the retrenched workers eligible to be considered there for, to the latest address or e-mail, given by each of them at the time of retrenchment or at any time thereafter:

Provided that when the number of such vacancies is less than the number of retrenched workers, it shall be sufficient if the intimation is given by the employer individually to the senior most retrenched workers in the list referred to in sub-rule (1) and the number of such senior-most workers being double the number of such vacancies:

Provided further that where the vacancy is of duration of less than one month there shall be no obligation on the employer to send intimation of such vacancy to individual retrenched workers:

Provided also that if a retrenched worker, without sufficient cause being shown in writing to the employer, does not offer himself for re-employment on the date or dates specified in the intimation sent to him by the employer under this

sub-rule, the employer may not intimate to him the vacancies that may be filled on any subsequent occasion.

(4) Immediately after complying with the provisions of sub-rule (3), the employer shall also inform the negotiating union or the constituent of negotiating council or Trade Unions connected with the industrial establishment, of the number of vacancies to be filled and names of the retrenched workers to whom intimation has been sent under that sub-rule:

Provided that the provisions of this sub-rule need not be complied with by the employer in any case where intimation is sent to every worker mentioned in the list prepared under sub-rule (1).

31. Service of notice by employer for intended closure.- (1) If an employer intends to close down an industrial establishment, he shall give notice within the time as specified in sub-section (1) of section 74 of such closure in **Form –XIII** to the State Government and a copy thereof to the concerned Deputy Commissioner of Labour, by e-mail or registered post or speed post.

(2) A copy of the notice referred to in sub-rule (1) shall also be sent to the registered Trade Unions or authorised representatives of workers, as the case may be, operating in the Industrial establishments.

CHAPTER X
SPECIAL PROVISIONS RELATING TO LAY-OFF, RETRENCHMENT AND CLOSURE IN CERTAINESTABLISHMENTS

32. Manner of making application to State Government by employer for the intended lay-off and manner of serving copy of such application to workers.– (1) An application for permission under sub-section (1) of section 78 shall be made by the employer in **Form-XIV** to the State Government with a copy to the concerned Deputy Commissioner of Labour stating clearly therein the reasons for the intended lay-off and a copy of such application shall be served simultaneously to the workers concerned electronically, or in person, or by registered post or speed post.

(2) The application referred to in sub-rule (1) shall also be displayed conspicuously by the employer on a notice board or on electronic board at the main entrance of the industrial establishment.

33. Application of permission from State Government to continue lay-off.– The employer shall, in case of an industrial establishment being a mine specified in sub-section (3) of section 78, where the workers (other than Badli workers or casual workers) have been laid-off under sub-section (1) of the said section for reasons of fire, flood or excess of inflammable gas or explosion, within a period of thirty days from the date of commencement of such layoff, make an application to the State Government in **Form-XIV** electronically and by registered or speed post with a copy to the concerned Deputy Commissioner of Labour for permission to continue the lay-off–

(a) specifying the number of days;
(b) intimating the number of workers to be laid off;
(c) the total number of workers employed in the industrial establishment;
(d) the date of layoff; and
(e) the reasons for continuation of such lay-off.

34. Time-limit for review.– (1) The State Government may, either on its own motion or on the application made by the employer or any worker, review its order granting or refusing to grant permission under sub-section (4) of the section 78.

(2) The employer or any worker concerned, along with the order referred to in sub-rule (1), may make an application, within thirty days from the date on which the

order is made, to the State Government for reviewing the order and that Government shall, within two months from the date on which the application is made, dispose of the same after providing the concerned parties an opportunity of being heard.

(3) Where the State Government decides to review the order referred to in sub-section (1) on its own motion, it may take necessary steps within one month from the date on which the order is made and after providing the concerned parties an opportunity of being heard, dispose of such review within a period of two months from the date on which such decision is taken.

35. Manner of making application to State Government by employer for intended retrenchment and manner of serving copy of such application to workers.– (1) An application for prior permission referred to in clause (b) of sub-section (1) of section 79 shall be made by the employer in **Form- XIV** electronically with a copy to the concerned Deputy Commissioner of Labour, stating clearly there in the reasons for the intended retrenchment and a copy of such application shall be sent to the concerned workers electronically, or in person, or by registered post or speed post.

(2) The application referred to in sub-section (1) shall also be displayed conspicuously by the employer on a notice board or on electronic board at the main entrance to the industrial establishment.

36. Time-limit for review.– (1) The State Government may, either on its own motion or on the application made by the employer or any worker, review its order granting or refusing to grant permission under sub-section (3) of section 79.

(2) The employer or any worker concerned, along with the order referred to in sub-rule (1), may make an application within thirty days from the date on which such order is made, to the State Government for reviewing that order and that Government shall within a period of two months from the date on which such application is made, dispose of the application after providing the concerned parties an opportunity of being heard.

(3) Where the State Government decides to review the order referred to in sub-section (1), on its own motion, it may take necessary steps within one month from the date on which such order is made and after providing the concerned parties an opportunity of being heard, dispose of such review within a period of two months from the date on which such decision is taken.

37. Application to State Government by employer for intended closing down of an industrial establishment and manner of serving copy of such application to representatives of workers.– An employer who intends to close down an industrial establishment, to which the provisions of Chapter X of the Code apply, shall apply to the State Government in **Form XIV** electronically for prior permission with a copy to the concerned Deputy Commissioner of Labour, at least ninety days before the date on which the intended closure is to become effective, stating clearly therein the reasons for such intended closure of the industrial establishment and simultaneously a copy of such application shall also be sent to the representatives of the workers electronically and in person, or by registered post or speed post.

38. Time-limit for review.– (1) The State Government may, either on its own motion or on an application made by the employer or any worker, review its order granting or refusing to grant permission under sub-section (2) of section 80.

(2) The employer or any worker concerned may make an application along with the order referred to in sub-rule (1),within thirty days from the date on which such order is made, to the State Government for reviewing that order and that Government shall, within two months from the date on which such application is

made, dispose of that application after providing the concerned parties an opportunity of being heard.

(3) Where the State Government decides to review the order referred to in sub-section (1) on its own motion, it may take necessary steps within one month from the date on which the order is made, and after providing the concerned parties an opportunity of being heard, dispose of such review within a period of two months from the date on which such decision is taken.

CHAPTER XI
WORKER RE-SKILLING FUND

39. Manner of utilisation of fund.– (1) Every employer who has retrenched a worker or workers in his industrial establishment under the Code, shall, within ten days from the date of such retrenchment, electronically transfer an amount equivalent to fifteen days of last drawn wages of such retrenched worker or workers into the account of the Assistant Commissioner of Labour having jurisdiction over the establishment (name of the account shall be displayed on the website of the State Labour Department).

(2) The fund so received under sub-rule (1) shall be transferred by the Office of the Assistant Commissioner of Labour electronically to each of the retrenched worker account or retrenched workers' accounts, as the case may be, within forty-five days of retrenchment to enable him utilise that amount for his re-skilling.

(3) The employer shall also submit the list containing the name of each retrenched worker, the amount equivalent to fifteen days of wages last drawn by such retrenched worker along with his bank account details, to the Office of the Assistant Commissioner of Labour, Deputy Commissioner of Labour and the Joint Commissioner of Labour having jurisdiction over the establishment.

CHAPTER XII
OFFENCES AND PENALTIES

40. Manner of composition of offence by a Gazetted Officer and the manner of making application for compounding of any offence.– (1) The officer notified by the State Government for the purposes of compounding of offences under sub-section (1) of section 89 (hereinafter referred to as the compounding officer) shall, if he is of the opinion that any offence under the Code for which the compounding is permissible under the said section and in respect of which prosecution is not instituted, send a notice to the accused in **Form XV** consisting of three parts through the designated portal of the State Labour Department.

(2) In Part I of **Form XV**, the compounding officer shall, *inter alia*, specify—

(a) the name of the offender and his other particulars;

(b) the details of the offence and the section under which the offence has been committed; and

(c) the compounding amount required to be paid towards the composition of such offence.

(3) In Part II of the **Form XV**, the compounding officer shall specify the consequences if the offence is not compounded, and Part III of the said Form shall contain the application to be filed by the accused, if he desires to compound the offence.

(4) Each notice referred to in sub-rule (1) shall have a continuous unique number containing alphabets or numerical and other details such as compounding officer concerned, industrial establishment, year, place and type of inspection for the purpose of easy identification.

(5) The accused to whom the notice referred to in sub-rule (1) is served, may send the duly filled up application in Part III of the notice, in the account specified by

the compounding officer in the notice, **Form XV** to the compounding officer electronically and deposit the compounding amount electronically, or by cash, or demand draft, as the case may be, within fifteen days of the receipt

(6) Where the prosecution has already been instituted against the accused in the court of competent jurisdiction, the accused may make an application to such court to allow composition of the offence against him and that court may, after considering the application, allow composition of the offence by the compounding officer in accordance with the provisions of section 89 and procedure specified in this rule.

(7) If the accused complies with the requirement of sub-rule (5), the compounding officer shall compound the offence for the amount of money deposited by the accused and—

(a) if the offence is compounded before the institution of prosecution, then, no complaint for prosecution shall be instituted against the accused;

(b) if the offence is compounded pending proceeding under section 85, the compounding officer shall intimate the composition to the officer referred to in that section, who shall, after intimation, close the proceeding in respect of the accused person of such offence; and

(c) if the offence is compounded after the institution of prosecution under sub-rule (6) with the permission of the court, then, the compounding officer shall treat the case as closed and intimate the composition of the offence to the competent court by which such composition was allowed and after receiving such intimation, the court shall discharge the accused person and close the prosecution.

(8) The compounding officer shall exercise the powers to compound offence under this rule, subject to the direction, control and supervision of the State Government.

CHAPTER XIII
MISCELLANEOUS

41. Protected workers.- (1) Every registered Trade Union connected with an industrial establishment, to which the provisions of the Code apply, shall communicate to the employer before the 30th April of every year, the names and addresses of such of the officers of such Trade Union who are employed in that establishment and who, in the opinion of such Trade Union should be recognized as protected workers.

(2) Any change in the incumbency of any officer of the Trade Union referred to in sub-rule (1) shall be communicated to the employer by such Trade Union within fifteen days of such change.

(3) The employer shall, within fifteen days of the receipt of the names and addresses from the Trade Union under sub-rule(1) and subject to the provisions of sub-section (3) and sub-section (4) of section 90, recognize such workers to be protected workers for the purposes of the said section and communicate to such Trade Union, in writing, the list of workers recognized as protected workers for a period of twelve months from the date of such communication.

(4) Where the total number of names received by the employer under sub-rule (1) exceeds the maximum number of protected workers, admissible for the industrial establishment under sub-section (4) of section 90, the employer shall recognize only such maximum number of workers as protected workers:

Provided that where there is more than one registered Trade Union in the industrial establishment, the maximum number shall be so distributed by the employer among the Trade Unions that the numbers of recognized protected workers in individual Trade Unions bear practicably the same proportion to one

another as the membership figures of the Trade Unions; and the employer shall in that case intimate in writing to the President or the Secretary of each of the concerned Trade Union, the number of protected workers allotted to it:

Provided further that where the number of protected workers allotted to such a Trade Union under this sub-rule falls short of the number of officers of such Trade Union seeking protection, then that Trade Union shall be entitled to select the officers to be recognized as protected workers; and such selection shall be made by that Trade Union and communicated to the employer within five days of the receipt of written intimation of the employer in this regard.

(5) Where a dispute arises between an employer and any registered Trade Union in any matter connected with the recognition of protected workers under this rule, such dispute shall be referred to the concerned Assistant Commissioner of Labour or the Deputy Commissioner of Labour or the Joint Commissioner of Labour whose decision thereon shall be final.

42. Complaint by an aggrieved employee.– (1) Every complaint of an aggrieved employee under section 91 shall be made electronically, or by registered post or speed post in **Form-XVI** and shall be accompanied by as many copies thereof for each of the opposite parties mentioned in such complaint.

(2) Every complaint under sub-rule (1) shall be verified by the aggrieved employee making the complaint or by the authorized representative of such employee proved to the satisfaction of the conciliation officer, arbitrator, Tribunal or the National Industrial Tribunal, as the case may be, to be acquainted with the facts of the case.

43. Authorisation of worker for representing in any proceeding.– Where the worker is not a member of any Trade Union, then, any member of the executive or other office-bearer of any Trade Union connected with or by any other worker employed in the industry in which the worker is employed, may be authorized in **Form-VI** by such worker to represent him in any proceeding under the Code relating to a dispute in which that worker is a party.

44. Authorisation of employer for representing in any proceeding.– Where an employer is not a member of any association of employers, then, such employer may authorize in **Form-VI**, an officer of any association of employers connected with, or by any other employer engaged in, the industry in which the employer is engaged, to represent him in any proceeding under the Code relating to a dispute in which that employer is a party.

45. Enquiry.– (1) On receipt of a complaint of the offence committed under sub-sections (3), (5), (7), (8), (9), (10),(11) and (20) of section 86 and sub-section (7) of section 89, the same shall be enquired into by an officer not below the rank of Deputy Commissioner of Labour appointed by the State Government for such purpose under sub-section (1) of section 85 (hereinafter referred to as the enquiry officer for composition of offences.

(2) On receipt of the complaint, the enquiry officer shall call upon the person or persons through a notice to be sent electronically, or by registered post or speed post and upload a copy of the same on the designated portal of the State Labour Department, to appear before him on a specified date together with all relevant documents and witnesses, if any, and shall inform the complainant of the date so specified. Where a party so desires, he may request in writing to the enquiry officer to issue notice in the enquiry only by post and also in cases where the enquiry officer feels that no electronic means of communication are available to the parties concerned, he may send such notice by registered post or speed post.

(3) If the person, to whom notice has been issued under sub-rule (2), or his representative fails to appear on the specified date, the enquiry officer may proceed to hear and determine the complaint *ex-parte*.

(4) If the complainant fails to appear on the specified date without any intimation to the enquiry officer on two consecutive dates, the enquiry officer may dismiss the complaint:

Provided that not more than three adjournments may be given on the joint application made by complainant and the opposite party:

Provided further that the enquiry officer shall at his discretion permit hearing the parties or any of the party, as the case may be, through video conferencing.

(5) The authorisation to appear on behalf of any person, under sub-section (2) of section 85 shall be given by a certificate or electronic certificate, as the case may be, which shall be presented to the enquiry officer during the hearing of the complaint and shall form part of the record.

(6) Any person who intends to appear in the proceeding on behalf of complainant shall present himself before the enquiry officer and submit a brief statement in writing explaining the reason for his appearance.

(7) The enquiry officer shall record an order on the statement referred to in sub-rule (6) permitting the person referred to in that sub-rule to appear in the proceeding on behalf of complainant, and in the case of refusing such permission, the enquiry officer shall include reasons for the same, and incorporate it in the record.

(8) The complaint or other documents relevant to the complaint may be presented in person to the enquiry officer at any time during hours fixed by the enquiry officer, or may be sent to him electronically, or by registered post or speed post and the opposite party shall have the right to reply the complaint and such other documents.

(9) The enquiry officer shall endorse, or cause to be endorsed, on each document the date of its presentation or receipt, as the case may be, and if the documents are submitted electronically, no such endorsement shall be necessary.

(10) The enquiry officer may refuse to entertain a complaint, if he considers that the complaint is incomplete and may ask the complainant to rectify the defects within the time specified by him for such purpose:

Provided that if the enquiry officer finds that it is not possible to rectify the defects in the complaint, he may at once return such complaint indicating the defects.

(11) Where the complaint is presented again, after rectification of the defects, the date of such re-presentation shall be deemed to be the date of presentation for the purpose of sub-section (1) of section 85.

(12) The enquiry officer may, after giving the complainant an opportunity of being heard, refuse to entertain a complaint presented under sub-section (1) of section 85, if he is satisfied for reasons to be recorded in writing that—

(a) the complainant is not entitled to present the complaint; or

(b) the complainant has filed the complaint beyond six months from the date on which the offence complained is committed;

(c) the complainant fails to comply the directions given by the inquiry officer under sub-section (2) of section 85.

(13) The enquiry officer shall, in all cases, mention the particulars at the time of passing of order containing the details, such as, the date of complaint, name and address of the complainant, name and address of the opposite party or opposite parties, section-wise details of the offence committed, plea of the opposite party,

findings and brief statement of the evidence taken including cross examination, reasons and penalty imposed with his signature, date and place.

(14) The enquiry officer shall, in respect of procedure, be guided by the provisions of the relevant Orders of the First Schedule of the Code of Civil Procedure, 1908 (5 of 1908), with such alterations as the enquiry officer may deem fit, not affecting their substance, for adapting them to the matter before him, and save where they conflict with the express provisions of the Code or these rules.

(15) The enquiry officer shall, after the case has been heard, pass an order or give a direction on the same day or on a future date to be fixed for this purpose.

(16) Any person, who is either a complainant or an opposite party or his representative, or any person permitted under sub-rule (7) shall be entitled to inspect any complaint, or any other document filed with the inquiry officer, in a case to which he is a party or representing a party.

46. Expenses of witness.– Every person, who attends or otherwise appears on receipt of a summon, as a witness before a Tribunal or a National Industrial Tribunal or an arbitral tribunal, shall be entitled to an allowance for expenses on the same rates as applicable to witnesses in the civil court in the State where such enquiry, adjudication or arbitration, as the case may be, is being conducted.

47. Submission of a copy of certain Forms to office of Director General, Labour Bureau.– A copy each of **Form XI** (notice of strike), **Form XII**(notice of lockout), **Form XIII** (notice for intimation of retrenchment or closure to the State Government), **Form XIV** (application for permission of lay-off or retrenchment or closure) and **Form XV** (compounding of offences), shall be shared electronically with the Director General, Labour Bureau.

48. Publication for communication.– For the purposes of communication to effect service of messages and documents under these rules, the State Government, National Industrial Tribunal, Tribunal, every employer for which the State Government is the appropriate Government, every Trade Union, negotiating union or the constituents of negotiating council and every authority referred to in these rules, shall specify their e-mail id or website or portal or any or all of them, as the case may be, in their respective letter-heads.

49. Maintenance of records, registers, forms, notice and display board.– (1) All records, registers, forms, notices, display boards and other documents which are required to be maintained under the Code and under these rules shall also be maintained in electronic manner in the required format or containing the information as is required.

(2) The records, registers, forms, notices, display boards and other documents referred to in sub-rule (1) shall comply with the requirement of retention of records and shall be produced or shown as and when required by the Inspector-cum-Facilitator or the concerned authority specified in this behalf under the Code or these rules.

50. Appointment of Commissioner.- Where it is necessary to appoint a Commissioner under sub-section (3) of section 59 for the purposes of computing the money value of a benefit referred to in sub-section (2) of the said section, the Tribunal may appoint a —

(a) person with experience in the particular industry, trade, business or field encompassing the question referred to in sub-section (2) of the said section; or

(b) person who had been a judge of a civil court; or

(c) stipendiary magistrate; or

(d) registrar or secretary of, a Tribunal constituted under any State Act or, a Tribunal or a National Industrial Tribunal constituted under the Code.

51. Fees for Commissioner, etc.- (1) The Tribunal shall, after consultation with the parties, estimate the probable duration of enquiry by the Commissioner referred to in rule 50 and fix the amount of his fees and other incidental expenses incurred by him.

(2) The Tribunal shall direct the payment of fees and other incidental expenses to the Commissioner into the nearest treasury, within a specified time, by such party or parties and in such proportion, as it may deem fit.

(3) The Commissioner shall not submit his report until the receipt of deposit into the treasury of the sum referred to in sub-rule (2) is filed before the Tribunal:

Provided that the Tribunal may, for reasons to be recorded in writing, direct that any further sum or sums be deposited into the treasury within such time and by such parties as it may deem fit:

Provided further that the Tribunal may in its discretion, extend the time for depositing such sum into the treasury.

(4) The Tribunal may, at any time, for reasons to be recorded in writing, vary the amount of the Commissioner's fees in consultation with the parties.

(5) The Tribunal may direct that the fees shall be disbursed to the Commissioner in such instalments and on such date as it may deem fit.

(6) The undisbursed balance, if any, of the sum deposited under this rule shall be refunded to the respective party or parties who deposited the sum in the same proportion as that in which it was deposited.

52. Time for submission of report.- (1) Every order for the appointment of Commissioner under sub-section (3) of section 59 shall indicate a date, allowing sufficient time, for the Commissioner to submit his report.

(2) If for any reason the Commissioner anticipates that the date fixed for the submission of his report is likely to be exceeded, he shall apply, before the expiry of the said date, for extension of time setting forth grounds thereof and the Tribunal shall, after consideration, pass suitable orders on such application:

Provided that the Tribunal may, if it deems fit for sufficient cause, grant extension of time even where no application for such extension has been received from the Commissioner within the time limit allowed under sub-rule (1).

53.In the place Andhra Pradesh Trade Union Regulations, 1927 made under the Trade Unions Act. 1926 (16 of 1926) which has been repealed under Section 104 of the Code, The Andhra Pradesh Trade Union Regulations are adopted as per the *Appendix*.

FORM-I

(*See* rule 4)

(MEMORANDUM OF SETTLEMENT ARRIVED AT IN THE COURSE OF CONCILIATION PROCEEDINGSOR OTHERWISE)

Names of Parties:

..... Representing employer(s);

..... Representing workers;

Short recital of the case

.....

Terms of settlement

.....

Signature of the parties

Witnesses:

(1)

(2)

*Signature of Conciliation Officer

In case the settlement arrived at between the employer and his workers otherwise than in the course of conciliation proceeding the copy of the memorandum shall be marked to the concerned Deputy Commissioner of Labour of the State.

FORM - II

(see rule 11)

Before the State Government Industrial Tribunal ----------
----------(place of the Industrial Tribunal having jurisdiction where dispute arises)

(A) Name and Address of Applicant(s)

Versus

(B) Name and Address of Opposite party(ies)

Brief facts of the dispute (statement regarding specific issues of dispute may be mentioned) which are connected with and relevant to the dispute under sub-section (1) of Section 22 of Industrial Relation Code, 2020 (35 of 2020).

Prayer:

The applicant(s) pray(s) that instant application may be admitted for adjudication and request(s) to pass appropriate award in the matter.

Name and signature of the worker(s) or
Officer of Trade union, raising the dispute

FORM III

(*See* rule 19)

(REGISTER FOR CERTIFIED STANDING ORDERS)

PART I

Industrial Establishment

Unique and continuous number	Name of the industrial establishment	Nature of the industrial establishment	Whether standing order is (a) model standing order, or (b) deemed standing order or (c) certified standing order	Date of adoption or date of deemed authentication or date of certification / authentication of standing order
(1)	(2)	(3)	(4)	(5)

Date of filing appeal	Date and nature of decision	Amendment made on appeal, if any	Date of the dispatch of the copy of standing orders as settled on appeal	Any other relevant detail
(6)	(7)	(8)	(9)	(10)

Part-II

Should contain the certified copy of the Standing Orders electronically.

FORM- IV

(*See* rule 21)

(NOTICE OF CHANGE OF SERVICE CONDITIONS PROPOSED BY AN EMPLOYER)

Name of employer.....

Address.....

Dated the ..... day of ..... 20.....

In accordance with sub-section (1) of section 40 of the Industrial Relations Code, 2020 (35 of 2020), I/We hereby give notice to all concerned that it is my/our intention to effect the change/changes specified in the annexure, with effect from ..... in the conditions of service applicable to workers in respect of the matters specified in the Third Schedule to the said Code.

Signature.....

Designation .....

ANNEXURE

(Here specify the change/changes intended to be effected)

Copy forwarded to:

1. The Secretary of registered Trade Union, if any.
2. Concerned Deputy Commissioner of Labour.

FORM-V

(*See* rule 22)

(AGREEMENT FOR VOLUNTARY ARBITRATION)

Between

.....Name of the parties representing employer (s)

And

..... Name of the parties representing worker

It is hereby agreed between the parties to refer the following dispute to the arbitration of ..... [here specify the name(s) and address(es) of the arbitrator (s).

(i) Specific matters in dispute.

(ii) Details of the parties to the dispute including the name and address of the establishment or under taking involved.

(iii) Name of the worker in case he himself is involved in the dispute or the name of the union, if any, representing the worker or workers in question.

(iv) Total number of workers employed in the undertaking affected.

(v) Estimated number of workers affected or likely to be affected by the dispute.

*We further agree that the majority decision of the arbitrators) shall be binding on us in case the arbitrator(s)are equally divided in their opinion they shall appoint another person as umpire whose award shall be binding on us.

The arbitrator (s) shall make his (their) award within a period of ..... (here specify the period agreed upon by the parties) from the date of publication of this agreement in the Official Gazette by the State Government or within such further time as is extended by mutual agreement between us in writing. In case, the award is not made within the period afore mentioned, the reference to the arbitration shall stand automatically cancelled and we shall be free to negotiate for fresh arbitrator.

Signature of the parties Representing employer/ any officer of the Trade Union / Representing worker /workers.

Witnesses:

1. .....
2. .....

Copy to: (i) The Conciliation Officer [here enter office address of the Conciliation Officer for the area concerned].

(ii) The Principal Secretary, Labour, Factories, Boilers and Insurance Medical Services Department , Government of Andhra Pradesh, AP Secretariat, Velagapudi, Guntur District.

FORM- VI

(*See* rules 24, 43 and 44)

(AUTHORISATION BY A WORKER, GROUP OF WORKERS, EMPLOYER OR GROUP OF EMPLOYERS TOBE REPRESENTED IN A PROCEEDING BEFORE THE AUTHORITY UNDER THE INDUSTRIALRELATIONS CODE, 2020).

Before the Authority

(Here mention the authority concerned)

In the matter of:. (mention the name of the proceeding)

.....workers

Versus.....Employer

I/we hereby authorize Shri / Shrimati/Kumari .....to represent me/us in the above matter.

Dated this.....day of.....20.....

Signature of person(s) nominating the representative(s)

Address Accepted.

FORM- VII

(*See* rule 26)

(APPLICATION UNDER SUB-SECTION (1) OF SECTION 59 OF THE INDUSTRIAL RELATIONS CODE,2020)

To,

(1) The Principal Secretary, Labour, Factories, Boilers and Insurance Medical Services Department, Government of Andhra Pradesh, AP Secretariat, VELAGAPUDI, Guntur Dt.

(2) The Deputy Commissioner of Labour (here insert the name of the District).

Sir,

I/We have to state that I am/we are entitled to receive from M/s ..... a sum of Rs.....(in words) on account of ..... under the provisions of Chapter IX and X of the Industrial Relations Code,2020 (35 of 2020) /in terms of the award dated the..... given by..... /in terms of the settlement dated the ..... arrived at between the said M/s ..... and their worker through..... the duly elected representatives.

I/We further state that I/we served the management with a demand notice by registered post on .....for the said amount which the management has neither paid nor offered to pay to me/us even though a fortnight has since elapsed. The details of the amount have been mentioned in the statement hereto annexed.

I/We request that the said sum may kindly be recovered for the management under sub-section (1) of section59 of the Industrial Relations Code, 2020 (35 of 2020) and paid to me/us as early as possible.

Signature of the applicant(s)

Address(es)

Station:

Date:.

ANNEXURE

[(Here indicate the details of the amount(s) claimed.)]

FORM- VIII

(*See* rule 26)

(APPLICATION BY A PERSON AUTHORISED BY A WORKER OR BY THE ASSIGNEE OR HEIR OF ADECEASED WORKER UNDER SUB-SECTION (1) OF SECTION 59 OF THE INDUSTRIAL RELATIONSCODE, 2020)

To

(1) The Principal Secretary, Labour, Factories, Boilers and Insurance Medical Services Department, Government of Andhra Pradesh, AP Secretariat, VELAGAPUDI, Guntur Dt.

(2) The Deputy Commissioner of Labour (here insert the name of the District).

Sir,

I Shri/Shrimati/Kumari.....have to state that Shri/Shrimati/ Kumari..... is/was entitled to receive from M/s..... a sum of Rs. .....(in words) on account of..... under the provisions of Chapter IX and X of the Industrial Relations Code, 2020 (35 of 2020) /in terms of the award dated the..... given by ...../in terms of the settlement, dated the.....arrived at between the said M/s..... and their worker through..... the duly elected representatives.

I further state that I served the management with a demand notice by registered post on.....for the said amount which the management has neither paid nor offered to pay to me even though a fortnight has since elapsed. The details of the amount have been mentioned in the statement hereto annexed.

I request that the said sum may kindly be recovered from the management under sub-section (1) of section 59of the Industrial Relations Code, 2020 (35 of 2020), and paid to me as early as possible.

I have been duly authorised in writing by.....(here insert the name of the worker) to make this application and to receive the payment of the aforesaid amount due to him.

I am the assignee/heir of the deceased worker and am entitled to receive the payment of the aforesaid amount due to him.

Station..... Signature of the authorized person/assignee/heirs

Date.....

Address.....

ANNEXURE

(Here indicate the details of the amount claimed.)

FORM- IX

(*See* rule 26)

(APPLICATION UNDER SUB-SECTION (2) OF SECTION 59 OF THE INDUSTRIAL RELATIONS CODE,2020)

Before the State Government Industrial Tribunal at. .....

Between.....

1. Applicant(s)

and.

1. Opposite Party (Employer)

(1) Name of the applicant(s) .....

(2) Name of the employer .....

The petitioner(s) ..... a worker of .....M/s. .....of.....The petitioner(s) undersigned, worker/workers of ..... is/are entitled to receive from the said M/s. ..... the money /benefits mentioned in the statement hereto annexed.

It is prayed that the Tribunal may be pleased to determine the amount /amounts due to the petitioner (s).

Signature or Thumb Impression (s) of the applicant(s)

Address (es) .....

Place.....

Date.....

ANNEXURE

(Here set out the details of the money due or the benefits accrued together with the case for their admissibility.)

FORM- X

[*See* rule 26]

(APPLICATION BY A PERSON WHO IS AN ASSIGNEE OR HEIR OF A DECEASED WORKER UNDER SUBSECTION(2) OF SECTION 59 OF THE INDUSTRIAL RELATIONS CODE, 2020)

Before the State Government Industrial Tribunal at .....

Between

(i) Name of the applicant/applicants .....

(ii) Name of the employer .....

I am/We are the assignee(s) of the deceased worker and am/are entitled to make an application on his behalf.

Shri/Smt..... former worker of M/s ..... of.....is entitled to receive from the said M/s..... the money/benefits mentioned in the statement hereto annexed;

It is prayed that the Tribunal be pleased to determine the amount/amounts due to the deceased worker.

Name and Address of worker.....

Signature of the assignee/heirs

Address (es) .....

Place.....

Date.....

ANNEXURE

(Herein set out the details of the money due or the benefits accrued together with the case for their admissibility).

FORM-XI

(*See* rules 27 and 47)

(NOTICE OF STRIKE TO BE GIVEN BY UNION (NAME OF UNION)/ GROUP OF WORKERS)

Name of five elected representatives of workers .....

Dated the.....day of.....20.....

To

(The name of the employer).

Dear Sir/Sirs,

In accordance with the provisions contained in sub-section (1) of section 62 of the Industrial Relations Code,2020 (35 of 2020) I/We hereby give you notice that I propose to call a strike / we propose to go on strike on.....20....., for the reasons explained in the annexure.

Yours faithfully,

(Secretary of the Union)

Five representatives of the workers duly elected at a meeting held on ..... (date), vide resolution attached.]

ANNEXURE

Statement of the Case.

Copy to:

1) The Assistant Commissioner of Labour of the area
2) The Deputy Commissioner of Labour concerned
3) The Joint Commissioner of Labour concerned
4) The Commissioner of Labour, Andhra Pradesh, Vijayawada
5) The Principal Secretary, Labour, Factories, Boilers and Insurance Medical Services Department, Government of Andhra Pradesh, AP Secretariat, VELAGAPUDI, Guntur Dt.
6) The Labour Bureau, Simla, Himachal Pradesh

FORM -XII

(See rules 28 and 47)

(NOTICE OF LOCK-OUT TO BE GIVEN BY AN EMPLOYER OF AN INDUSTRIAL ESTABLISHMENT)

Name of employer .....

Address.....

Dated the.....day of.....20.....

In accordance with the provisions of 62(5)of the Industrial Relations Code, 2020 (35 of 2020) , I/we hereby give notice to all concerned that it is my/our intention to effect lock out in..,.....department(s), section(s) of my/our establishment with effect from.....for the reasons explained in the annexure.

Signature.....

Designation.....

ANNEXURE

1.	**Statement of reasons**

Copy forwarded to:

1) The Assistant Commissioner of Labour of the area
2) The Deputy Commissioner of Labour concerned
3) The Joint Commissioner of Labour concerned
4) The Commissioner of Labour, Andhra Pradesh, Vijayawada
5) The Principal Secretary, Labour, Factories, Boilers and Insurance Medical Services Department, Government of Andhra Pradesh, AP Secretariat, VELAGAPUDI, Guntur Dt.
6) The Director General, Labour Bureau, Simla, Himachal Pradesh

FORM -XIII

(*See* rules 29, 31 and 47)

(NOTICE OF INTIMATION OF RETRENCHMENT/ CLOSURE TO BE GIVEN BY AN EMPLOYER TO THESTATE GOVERNMENT UNDER THE PROVISIONS OF CHAPTER IX OF THE INDUSTRIAL RELATIONSCODE, 2020 AND RULES MADE THERE UNDER)

(To be submitted online. In case of exigencies, on paper in the prescribed format below)

Name of Industrial Establishment /Undertaking/ Employer .....

Labour Identification Number .....

Dated.....

(Note: The intimation for Closure/Retrenchment to the appropriate government shall be served sixty days and thirty days before commencement of Closure/Retrenchment respectively)

To,

The Principal Secretary, Labour, Factories, Boilers and Insurance Medical Services Department, Government of Andhra Pradesh, AP Secretariat, VELAGAPUDI, Guntur Dt.

1. *(Retrenchment) (a) Under section 70(C) of the Industrial Relations Code, 2020 (35 of 2020), I/ we* hereby intimate you that I*/we* have decided to retrench..... workers** out of a total of .....Workers** with effect from..... (DD/MM/YYYY)

or

(Closure) (b) Under section 74(1) of the Industrial Relations Code, 2020 (35 of 2020), I / we hereby intimate you that I*/we* have decided to close down,.....(name of the industrial establishment or undertaking) with effect from..... (DD/MM/YYYY). The number of workers whose services would be terminated on account of the closure of the undertaking is..... (number of workers)

2. The reason for Retrenchment / Closure is.....

.....

.....

3. * The worker(s)* concerned were given on the..... (DD/MM/YYYY) one month's notice in writing as required under section 70(a)*/ section 75(1)* of the Industrial Relations Code, 2020 (35 of 2020).

or

* The worker(s) concerned have been given on the..... (DD/MM/YYYY) one month's pay in lieu of the notice as required under section 70(a)*/ section 75(1)* of the Industrial Relations Code, 2020 (35 of 2020) .

4. * I*/We* hereby declare that the worker(s) concerned have been*/will be* paid all their dues along with the compensation due to them under section 70* / section 75* of the Industrial Relations Code, 2020 (35 of 2020)before or on the expiry of the notice period.

or

I/We hereby state that currently Insolvency proceedings are on in respect of the said Industrial Establishment/Undertaking/Employer, and that I*/we* will pay all the dues along with the compensation due to them under concerned laws.

5. (Retrenchment) I/we* hereby declare that the worker(s) concerned have been* / will be* retrenched in compliance to the section 71 and section 72 of the Industrial Relations Code, 2020 (35 of 2020).

6. I*/ we* hereby declare that no court case is pending before any Court in the matter, and if yes, the details thereof have been Annexed.

7. I*/ we* hereby declare that the above information given by me*/us* in this notice and the Annexures enclosed herewith true, I*/ we* am*/ are* solely responsible for its accuracy and no facts/ materials has been suppressed in the matter.

Yours faithfully,

(Name of Employer/ ***Authorised Representative with Seal)

(* Strike off which is not applicable.)

(** Indicate number in figures and words both)

(***Copy of Authorisation letter issued by the employer shall be enclosed)

Copy to :

1) The Assistant Commissioner of Labour of the area
2) The Deputy Commissioner of Labour concerned
3) The Joint Commissioner of Labour concerned
4) The Commissioner of Labour, Andhra Pradesh, Vijayawada
5) The Principal Secretary, Labour, Factories, Boilers and Insurance Medical Services Department, Government of Andhra Pradesh, AP Secretariat, VELAGAPUDI, Guntur Dt.
6) The Director General, Labour Bureau, Simla, Himachal Pradesh
7) To the Registered Unions/ Authorised Representatives of Workers operating in the establishments or undertakings.

FORM- XIV

(*See* rules 32, 33, 35,37 and 47)

(APPLICATION FOR PERMISSION OF LAY-OFF/ CONTINUATION OF LAY-OFF/ RETRENCHMENT/CLOSURE TO BE GIVEN BY AN EMPLOYER / INDUSTRIAL ESTABLISHMENT /UNDERTAKING TO THE STATE GOVERNMENT UNDER THE PROVISIONS OF CHAPTER X OF THE INDUSTRIAL RELATIONSCODE, 2020 AND RULES MADE THEREUNDER)

(To be submitted online. In case of exigencies on paper in the specified format below)
Name of Industrial Establishment or Undertaking or Employer.....
Labour Identification Number.....

Dated.....

(Note: The application to the State Government shall be served as indicated below:
Lay-off : at least 15 days before the intended Lay-off
Continuation of Lay-off – at least 15 days before the expiry of earlier Lay-off
Retrenchment – at least 60 days before the intended date of retrenchment
Closure – at least 90 days before the intended date of closure)

To,
The Principal Secretary, Labour, Factories, Boilers and Insurance Medical Services Department, Government of Andhra Pradesh, AP Secretariat, VELAGAPUDI, Guntur Dt.

1. *(Lay-off) (a). Under section 78(2) of the Industrial Relations Code, 2020 (35 of 2020), I*/we* hereby apply for "permission to lay-off .....workers** out of total of ..... workers** employed in my*/our* establishment
(details to be given in Annexure-I) with effect from ..... (DD/MM/YYYY).

or

(Continuation of lay-off) (b) Under section 78(3) of the Industrial Relations Code, 2020 (35 of 2020), I/we*hereby apply for permission to continue the Lay-off .....workers** out of total of ..... laid off workers** in my*/our* establishment (details to be given in Annexure-I) with effect from ..... (DD/MM/YYYY).

or

(Retrenchment) (c) Under section 79(2) of the Industrial Relations Code, 2020 (35 of 2020), I/we* hereby apply for permission for intended retrenchment of..... workers out of total of ..... workers** employed in my*/our* establishment (details to be given in Annexure-I) with effect from ..... (DD/MM/YYYY).

or

(Closure) (d) Under section 80(1) of the Industrial Relations Code, 2020 (35 of 2020), I / we hereby inform you that I*/we* intended to close down the undertaking..... (name of the industrial establishment or undertaking or employer) (details to be given in Annexure-I) with effect

from.....(DD/MM/YYYY). The number of workers whose services would be terminated on account of the closure of the under taking is..... (number of workers)

* (Lay-off/Continuation of Lay-off) The worker(s) concerned were given on ..... (DD/MM/YYYY) notice in writing as required under section 78(2)*/ section 78(3)* of the Industrial Relations Code, 2020 (35 of 2020).

or

(Retrenchment/ Closure) The worker(s) concerned were given on..... (DD/MM/YYYY) three month's notice in writing as required under section 79/ section 80* of the Industrial Relations Code, 2020 (35 of 2020).

or

(Retrenchment/ Closure) The worker(s) have been given on..... (DD/MM/YYYY) three month's pay in lieu of notice as required under section 79/ section 80* of the Industrial Relations Code, 2020 (35 of 2020).

2. The details of affected worker(s) is at Annexure II.

3. (Retrenchment) I*/we* hereby declare that the workers concerned will be retrenched in compliance to the Section71 and section 72 of the Industrial Relations Code, 2020 (35 of 2020).

4. *I/We* hereby declare that the worker(s) concerned have been*/will be* paid all the dues and compensation due to them under section 67, read with section 78(10)*/ section 79* / section 80* of the Industrial Relations Code,2020 (35 of 2020) before or on the expiry of the notice period.

or

I/We hereby state that currently Insolvency proceedings are on in respect of the said Industrial Establishment/Undertaking/Employer, and that I/we* will pay all the dues along with the compensation due to them under concerned laws.

5. I/ we* hereby declare that no court case is pending before any Court in the matter, and if yes, the details there of have been annexed herewith.

6. I/ we hereby declare that the above information given by me/ us* in this notice and enclosures is/ are* true, I/ we am/ are solely responsible for its accuracy and no facts/ materials has been suppressed in the matter.

The permission sought for may please be granted.

Yours faithfully,

(Name of Employer/ ***Authorised Representative with Seal)

(* Strike off which is not applicable.)
(** Indicate number in figures and word both)
(***Copy of authorisation letter issued by the employer shall be enclosed)

Copies to

1) The Assistant Commissioner of Labour of the area

2) The Deputy Commissioner of Labour concerned

3) The Joint Commissioner of Labour concerned

4) The Commissioner of Labour, Andhra Pradesh, Vijayawada

ANNEXURE I

(Please give replies against each item)

1	Name of the undertaking with complete postal address, email, mobile and land line.	
2	Status of undertaking— (i) Whether State public sector/State public sector/ like other, (ii) Whether a private limited company/ partnership firm/ partnership firm (ii) Whether the undertaking is licensed/registered and if so, name of licensing/registration authority and licence/registration certificate numbers.	
3	(a) Corporate Identification Number	
	(b) Goods and Service Tax Identification Number (GSTIN)	
4	(i) Annual production, item wise for preceding three years- (ii) Production figures, month-wise, for the preceding twelve months,	
5	Audit report of the legal entity that own the establishment/ undertaking including Balance sheets, profit and loss accounts for the last three years.	To be annexed
6	Names of the inter-connected companies or companies under the same management.	
7	Details of lay-off/ retrenchment resorted to in the last three years including the periods of such lay-offs/ retrenchment the number of workers involved in each such lay-off/ Retrenchment / continuation of lay off	
8	Any other relevant details which have bearing on lay-off/ continuation of lay off/ retrenchment/ closure.	

ANNEXURE II

(Details of affected workers)

Sl. No	UAN/ CMPFO	Name of the Worker	Category (Highly Skilled / Skilled/ Semiskilled / Unskilled)	Date from which in service in/with the said establishment /Undertaking/ Employer	Wage as on date of Application	Remark
1						
2						
3						

FORM-XV

(See rules 40and 47*)*

(NOTICE TO THE EMPLOYER/PERSON WHO COMMITTED AN OFFENCE FOR THE FIRST TIME , FORCOMPOUNDING OF OFFENCE UNDER SECTION 89 OF THE INDUSTRIAL RELATIONS CODE, 2020 READWITH RULE 41)

The undersigned, the Compounding Officer, for the purposes of section 89 of the Industrial Relation Code, 2020 (35of 2020), hereby intimates you that the allegation has been made against you for committing offence for the violation of various provision of this Code as per the details given below:—

PART - I

1. Name and Address of the offender Employer/person- .....
2. Address of the Establishment .....
4. Particulars of the offence .....
5. Section of the Code under which the offence is committed .....
6. Compounding amount required to be paid towards composition of the offence.....

PART – II

You are advised to deposit the above mentioned amount within fifteen days from the date of receipt of this notice for compounding the offence as per section 89 of the Industrial Relations Code, 2020 (35 of 2020) read with rule 41, along with an application dully filled in part – III of this notice.

In case you fail to deposit the said amount within the time so specified, no further opportunity shall be given to you and necessary steps shall be taken for filing of prosecution under section 87 of the said Code shall be issued.

(Signature of the Compounding Officer)

Date:
Place:

PART – III

(Application under sub-section (4) of section 89 of the Industrial relations Code, 2020 read with rule 41 for compounding of offence)

1. Name of applicant (name of the employer/person who committed the offence under the Industrial Relations Code 2020 (35 of 2020) to be mentioned.....
2. Address of the applicant .....
3. Particulars of the offence .....
4. Section of the Code under which the offence has been committed .....
5. Details of the compounding amount deposited (electronically generated receipt to be attached).....
6. Details of the prosecution, if filed for the violation of above mentioned offences may be given.....

7. Whether the offence is first offence or the applicant had committed any other offence prior to this offence, if committed, then, full details of the offence

.....

.....

.....

8. Any other information which the applicant desires to provide

.....

.....

.....

Applicant

(Name and signature)

Dated:

Place:

Form- XVI

(*See* rule 42)

(COMPLAINT UNDER SECTION 91 OF THE INDUSTRIAL RELATIONS CODE, 2020)

Before the Conciliation officer/ Arbitrator/ Tribunal or, National Industrial Tribunal ----------,In the matter of:.....
Reference No.....

A..... Complainant(s);
Versus
B..... Opposite Party(ies).

Address:

The petitioner(s) begs/beg to complain that the Opposite Party(ies) has/have been guilty of a contravention of the provisions of section 90 of the Industrial Relations Code, 2020 as shown below:

(Here set out briefly the particulars showing the manner in which the alleged contravention has taken place and the grounds on which the order or act of the management is challenged.)

The complainant(s) accordingly prays/pray that the Conciliation officer/ Arbitrator/ Industrial Tribunal or National Industrial Tribunal may be pleased to decide the complaint set out above and pass such order or orders thereon as it may deem fit and proper.

The number of copies of the complaint and its annexure required under rule 43 of the Industrial Relations Code, 2020(35 of 2020) are submitted herewith.

Dated this.....day of.....20..... Signature of the Complainant(s)

Verification

I do solemnly declare that what is stated in paragraph..... above is true to my knowledge and that what is stated in paragraphs..... above is stated upon information received and believed by me to be true. This verification is signed by me at..... on .....day of.....20.....

Signature or Thumb impression of the person verifying.

Schedule-A [see Rule 12] –
Manufacturing Sector
Draft Model Standing Orders
[See Section 29(1) and Rule 12]

1. Definition.- (1) In these Model Standing Orders, unless there is anything repugnant to the subject or the context,-

(a) "Aadhar" means the aadhar referred to in Section 142 of the Code on Social Security, 2020 (36 of 2020)

(b) "Code" means the Industrial Relations Code, 2020 (35 of 2020);

(c) "Form" means a form set out in Schedule appended to these standing orders;

(d) "Habitual" means with respect to indiscipline, a worker shall be habitual if the worker commits any misconduct three or more times in preceding twelve months; and

(e) "Standing Order" with its grammatical variation and cognate expressions, means the standing order of these model standing orders.

(2) The words or expressions used in these model standing orders and not defined therein but defined in the Industrial Relations Code, 2020 (35 of 2020) shall have the respective meanings assigned to them in the definitions in the Code.

2. (1) **Classification of Worker**.- For the purposes of these standing orders, the workers are classified as below, namely:-

(a) Permanent;
(b) Temporary;
(c) Apprentices;
(d) Probationers;
(e) Badlis;
(f) Fixed Term Employment; and
(g) Casual

(2) A Permanent worker is a worker who has been engaged on a permanent basis in an industrial establishment and includes any person who has satisfactorily completed a probationary period of six months in the same or another occupation in the industrial establishment including breaks due to sickness, accident, leave, lockout, strike (not being an illegal strike) or involuntary closure of the industrial establishment.

(3) A Temporary Worker is a worker who has been engaged for work which is of an essentially temporary nature likely to be finished within a limited period.

(4) Apprentice means a person who is undergoing apprenticeship training in pursuance of a contract of apprenticeship under the Apprenticeship Act, 1961 (52 of 1961).

(5) A Probationer is a worker who is provisionally employed to fill a permanent vacancy in a post and has not completed six months _service therein. The period of probation can be extended further period up to three months after assessing the performance of the probationer for the post, he has been appointed for. If a permanent employee is employed as a probationer in a new post he may, at any time during the probationary period of six months, be reverted to his old permanent post.

(6) A badli is a worker who is appointed against the post of a permanent worker or probationer who is temporarily absent.

(7) "Fixed term employment" means the engagement of a worker on the basis of a written contract of employment with the employer for a fixed period:

Provided that—

(a) his hours of work, wages, allowances and other benefits shall not be less than that of a permanent worker doing the same work or work of similar nature;

(b) he shall be eligible for all statutory benefits available to a permanent worker proportionately according to the period of service rendered by him even if his period of employment does not extend to the qualifying period of employment required in the statute;

(c) he shall be eligible for gratuity, if he renders service under the contract for a period of one year; and

(d) for every completed year of service or part thereof in excess of six months, the employer shall pay gratuity to the worker at the rate of fifteen days' wages, based on rate of wages last drawn by the worker concerned as referred to in sub-section (2) of section 53 of the Code on Social Security, 2020 (36 of 2020).

Explanation.- For removal of doubt, it is clarified that the termination of service of a worker as a result of completion of tenure of fixed term employment shall not be included within the meaning of —retrenchment— as defined under clause (zh) of section 2 of the Industrial Relations Code, 2020 (35 of 2020).

(8) "Casual" worker is a worker who has been either engaged for work which is of an essentially casual nature or whose employment is of a casual nature.

3. Identity Badge or Card.- (1) All workers belonging to any categories under the Industrial Relations Code, 2020(35 of 2020) shall be issued an identity badge or card bearing his full name, designation, employee number, blood group, contact number, emergency contact person and his number, and a recent photograph.

(2) A worker should always wear his identity badge or card during the working hours of the industrial establishment and produce the same to the authorized security guard or personnel to allow him the right of entry and stay in the premises of the industrial establishment.

(3) Such identity badge or card shall not be transferable to any other persons or workers. Safe custody of the identity badges or cards shall be ensured by the concerned workers.

(4) Every worker, who ceases to be in employment of the industrial establishment, shall surrender his identity badge to the Department Head or the officer of the industrial establishment designated for such purpose.

4. Publication of Working Timings.- (1) The periods of hours of work for all categories of workers shall be exhibited on the notice board or Electronic Notice Board and on the Human Resource Portal of the industrial establishment, if any, from time to time in Hindi, English and in the local language in which majority of workers in industrial establishment are conversant.

(2) Any change in periods of hours of work, number of shifts, shift timings, work on all the days of the week with staggered weekly holidays system or like other matters, shall also be displayed on notice board or electronic notice board of the industrial establishment.

5. Publication of Holidays, Pay days and Wage rates.- (1) Notices specifying the days observed by the industrial establishment as holidays, and pay days shall be posted on the electronic notice board or notice board and website or Human Resource portal/ IT Application of the industrial establishment, if any.

(2) A list of national and festival Holidays shall be displayed on the Electronic notice board or notice board and website or Human Resource portal of the industrial establishment, if any.

6. Publication of wage rates.- Wage rates payable to all categories of workers shall be displayed on the Electronic notice board or notice board and website or Human Resource portal of the industrial establishment, if any, in Hindi, English and local language in which majority of workers in industrial establishment are conversant.

7. Shift working:- (1) More than one shift may be worked in a department or departments or any section of a department of the industrial establishment at the discretion of the employer. If more than one shift is worked, the worker shall be liable to be transferred from one shift to another. No shift working shall be discontinued without twenty one days' notice being given in writing to the workers prior to such discontinuance:

Provided that no such notice shall be necessary if the closing of the shift is under an agreement with the workers affected. If as a result of the discontinuance of the shift working, any worker is to be retrenched, such retrenchment shall be effected in accordance with the provisions of the Industrial Relations Code, 2020 (35 of 2020) and the rules made there under. If shift working is re-started, the workers shall be given notice and re-employed in accordance with the provisions of the said Code and the said rules.

(2) Whenever an additional shift is started, or shifts are restarted or discontinued or altered, twenty- one days prior notice, shall be given to the affected workers:

Provided that no notice shall be required in case of emergent situation which requires change of shift or shift working, otherwise than in accordance with Standing Order, in consultation with Grievance Redressal Committee in pursuant of clause (c) section 40 of the Industrial Relations Code, 2020 (35 of 2020):

Provided further that no notice shall be required, if such change is effected in accordance with the orders of the State Government or State Government, as the case may be, or in pursuance of any settlement or award as envisaged in clause (d) of section 40.

8. Notice of changes in shift working.--Any notice of discontinuance or of re-starting of a shift working required by this Standing Order, shall be in Form-(i) appended to these standing orders and shall be served in the following manner, namely :-

(a) The notice shall be displayed conspicuously by the employer on a notice-board or electronic notice board and Human Resource portal of the industrial establishment if any; and

(b) Where any registered trade union of workers exists, then, a copy of the notice referred to in clause (a) shall also be served electronically or by registered post to the Secretary of such union.

9. Attendance and Late Coming.- (1) All workers shall be at work at the time fixed and notified under paragraph 5.Worker attending late will be liable for deduction provided for in the Code on Wages, 2020 (29 of 2019).

(2) All workers shall comply with the regulations related to hours of work for the time being in force.

(3) Workers shall register their attendance at the start of the shift and at the close of the shift after and before change of uniform, if any, respectively.

(4) Workers shall use identity card or biometrics or any other system as has been notified to register their attendance.

(5) No worker shall use or punch the Identity badge or Card other than his own under any circumstances.

(6) Any worker, reporting late than the scheduled time for reporting shall not be permitted to enter his department or section, unless permitted by the express permission of the manager, or any other officer, duly authorized for such purpose.

(7) A worker shall be deemed absent, if he fails to attend duty, unless he has obtained written permission for such absence from the manager or the Officer authorized in this behalf.

(8) A worker who comes late and remains absent will be liable to deduction of wages as provided under the Code on Wages, 2019 (29 of 2019).

10. Leave.- (1) Holidays with pay will be allowed as provided for in the Occupational Safety, Health and Working Conditions Code, 2020 (37 of 2020), and other holidays in accordance with law, contract, custom and usage applicable.

(2) Leave cannot be claimed as matter of right.

(3) A worker who desires to obtain leave of absence shall apply to the employer or any other officer of the industrial establishment specified in this behalf by the employer at least seven days in advance from the date of proposed date of leave. The employer or any other officer of the industrial establishment, who is responsible for issuing the order, shall issue the same within a week of its submission or two days prior to the commencement of the leave applied for, whichever is earlier. If the leave has been applied and the leave is to commence on the date of the application or within three days thereof, then the worker shall mention the reason for late submission of application for leave. The order on such leave shall be given on the same day. If the leave is refused or postponed, the fact of such refusal or postponement and the reasons there for shall be communicated to him in writing or electronic mode.

(4) Where the worker after proceeding on leave desires an extension thereof, he shall apply to the employer or the officer specified in this behalf by the employer, who shall send a reply either granting or refusing extension of leave to the worker in writing or electronic mode, and if such reply is likely to reach him before the expiry of the leave originally granted to him.

(5) Leave with wages and allowances shall be granted to all the workers in accordance with the law as applicable to the industrial establishment and under Standing Orders.

(6) No employee while on leave shall take up any employment or any vocation for profit or gain.

11. Casual Leave.- A worker may be granted casual leave of absence with wages not exceeding ten days in the aggregate in a calendar year. Such leave shall not be for more than three days at a time except in case of sickness. Such leave is intended to meet special circumstances which cannot be foreseen. Ordinarily, the previous permission of the head of the department or the controlling authority in the industrial establishment shall be obtained before such leave is taken, but when this is not possible, the head of the department or the controlling authority shall, as soon as may be practicable, be informed in writing or through electronic mode of the absence from and of the probable duration of such absence.

12. Payment of Wages. –

(1) The employer shall pay or cause to be paid wages to the worker, engaged on—

(i) daily basis, at the end of the shift;

(ii) weekly basis, on the last working day of the week, that is to say, before the weekly holiday;

(iii) fortnightly basis, before the end of the second day after the end of the fortnight;

(iv) monthly basis, before the expiry of the seventh day of the succeeding month.

(2) All wages shall be paid in current coin or currency notes or by cheque or by crediting the wages in the bank account of the worker or by the electronic mode.

Provided, the employer shall pay the wages only by cheque or by crediting the wages in his bank account if specified through notification by appropriate government, under the Code on Wages, 2019

(3) Where a worker has been—

(i) removed or dismissed from service; or

(ii) retrenched or has resigned from service, or became unemployed due to closure of the establishment, the wages payable to him shall be paid within two working days of his removal, dismissal, retrenchment or, as the case may be, his resignation.

(4) Every employer shall issue wage slips to the worker in such form and manner as prescribed in Code on Wages,2019.

(5) There shall be no deductions from the wages of the worker, except those as are authorized under the Code on Wages, 2019.

(6) All fines and all realisations from the wages of the worker shall be carried out in accordance with the section 19 of the Code on Wages, 2019.

(7) Notice specifying wage period and payment date shall be exhibited on the notice board or electronic board and on the Human Resource portal/IT Application in Hindi, English and regional language familiar to the majority of workers.

13. Service Record:- (1) Matters relating to service card, certification of service, change of residential address of workers and record of their age shall form part of service record and –

(i) Every industrial establishment shall maintain a service card in respect of each worker electronically or in manual form, wherein particulars of that worker shall be recorded with the knowledge of that worker in Form-(ii) and it shall be updated periodically. In case of manual maintenance of service card, the record shall be duly attested by an authorized officer in this behalf together with date.

(ii) Every worker shall be entitled to a service certificate, specifying the nature of work, designation and the period of employment (indicating the days, months, years) at the time of discharge, termination, retirement or resignation from service to be issued by an employer within 10 days of such instance;

(iii) A worker shall notify the employer immediately on engagement, the details of his residential address, mobile number, e-mail, emergency contact name and number, nominees for claiming dues in case of death and there after promptly communicate to his employer any change of his residential address. In case, the worker has not communicated to his employer the change in his residential address, his last known address shall be treated by the employer as his residential address for sending any communication;

(iv) Every worker shall indicate his exact date of birth to the employer or the officer authorized by him in this behalf, at the time of entering service in the industrial establishment. The employer or the officer authorized by him in this behalf may before the date of birth of a worker is entered in his service card, require him to supply,-

(a) his matriculation or school leaving certificate granted by the Board of Secondary Education or equivalent certificate granted by similar educational authority; or

(b) a certified copy of his date of birth as recorded in the registers of a municipality, local authority or Panchayat or Registrar of Births; or

(c) a copy of Aadhaar, if agreed by the worker; and

(d) in the absence of either of the aforesaid three categories of certificate, the employer or the officer authorised by him in this behalf may require the worker to supply, a certificate from a Government Medical Officer not

below the rank of an Assistant Surgeon indicating the probable age of the worker:

Provided that the cost of obtaining such certificate is borne by the employer;

(v) where it is not practicable to obtain a certificate from a Government Medical Officer, an affidavit sworn, either by the workman or his parents, or by a near relative, who is in a position to know about the workman's actual or approximate date of birth, before a first Class Magistrate or Oath Commissioner, as evidence in support of the date of birth given by him.

(2) The date of birth of a worker, once entered in the service card of the industrial establishment shall be the sole evidence of his age in relation to all matters pertaining to his service including fixation of the date of his retirement from the service of the industrial establishment. All formalities regarding recording of the date of birth shall be finalized within three months of the date of the appointment of a worker.

(3) Cases, where date of birth of any worker had already been decided before the date these standing orders come into force shall not be reopened under these standing orders.

Note.- Where the exact date of birth of a worker is not available and the year of birth is only established, then, the 1st July of the said year shall be taken as the date of birth.

14. Confirmation.- The employer shall, in accordance with the terms and conditions stipulated in the letter of appointment, confirm the eligible worker and issue a letter of confirmation to him. Whenever, a worker is confirmed, an entry with regard to the confirmation shall also be made in his service card within a period of thirty days from the date of such confirmation.

15. Age of retirement.- The age of retirement or superannuation of a worker shall be such as may be agreed upon between the employer and the worker under a written agreement or as specified in a settlement or award which is binding on both the worker and the employer. Where there is no such agreed age, retirement or superannuation shall be on completion of fifty eight years of age by the worker.

16. Transfer.- (1) There shall be a transfer policy of the industrial establishment and same shall be known to all workers. The details of transfer policy shall be available on the Human Resource (HR) portal.

(2) A worker may be transferred according to the transfer policy and exigencies of work from one shop or department to another or from one station to another or from one industrial establishment to another under the same employer:

Provided that the wages, grade, continuity of service and other conditions of service of the worker shall not be adversely affected by such transfer:

Provided further that a worker shall be transferred from one job to another, which he is capable of doing:

Provided also that where the transfer involves moving from one State to another such transfer shall take place, either with the consent of the worker or where there is a specific provision to that effect in the letter of appointment and transfer policy in accordance with such provision and policy:

Provided also that unless -

(a) reasonable notice is given to such worker, and

(b) reasonable joining time is allowed in case of transfers from one station to another and the worker concerned shall be paid travelling allowance including the transport charges and fifty per cent thereof to meet incidental charges, such transfer shall not be effected.

17. Medical aid in case of accidents.- (1) Where a worker meets with an accident in the course of or arising out of his employment, the employer shall, at the

employer's expense, make satisfactory arrangements for immediate and necessary medical aid to the injured worker and shall arrange for his further treatment, if considered necessary by the doctor attending on him.

(2) Wherever the worker is entitled for treatment and benefits under the Social Security Code, 2020 (36 of 2020), then, he shall be entitled for treatment and benefits under that Code.

18. Medical Examination.- (1) Wherever the recruitment rules or any contract of appointment or Fixed Term Employment specify medical examination of a worker, on his first appointment, the employer shall at the employer's expense make arrangements for medical examination.

(2) All workers to be employed in the industrial establishment shall be required to clear the medical examination by the Medical Authority nominated by the industrial establishment for such purpose, at the time of first appointment.

(3) The industrial establishment may at any time direct any worker to undergo medical examination by any Medical Officer nominated to ascertain workers' fitness relatable to satisfactory performance of his job. The term "Medical Officer" shall have same meaning as it has in sub-section (1) of section 42 of Occupational Safety, Health and Working Condition Code, 2020 (37 of 2020).

(4) A worker who comes to know that he has contracted any infectious or contagious disease shall immediately notify the concerned Manager of such a happening and shall remain away from work until permitted to return on work by the Manager concerned and during such period, the worker shall be treated on leave to the extent of days he has leave with wages to his credit. Disciplinary action may be taken against a worker if he deliberately suppresses the fact of his suffering from an infectious or contagious disease and such a conduct on the part of the worker shall amount to misconduct within the meaning of these Standing Orders.

19. Secrecy.- No worker shall take any papers, books, drawings, photographs, instruments, apparatus, documents or any other property either in electronic form or physical form, of an industrial establishment out of the work premises except with the written permission of his immediate superior, nor shall he in any way pass or cause to be passed or disclose or cause to be disclosed any information or matter concerning the manufacturing process, trade secrets and confidential documents of the industrial establishment to any unauthorized person, company or corporation without the written permission of the employer. Disciplinary action may be taken against a worker if he does not comply with the provisions in this paragraph and such a conduct on the part of the worker shall amount to misconduct within the meaning of these Standing Orders.

20. Exclusive Service.- A worker shall not at any time work against the interest of the industrial establishment in which he is employed and shall not take any employment in addition to his job in the industrial establishment, which may adversely affect the interest of his employer, but, the employer may permit him to take up additional job, assignment with conditions or without conditions and the worker shall obtain prior permission of the employer.

21. Stoppage of work. - (1) The employer may, at any time, in the event of fire, catastrophe, break-down of machinery or stoppage of power supply, disaster, pandemic, epidemics, civil commotion or other cause beyond his control , stop any section or sections of the industrial establishment, wholly or partially for any period or periods without notice.

(2) In the event of such stoppage during working hours, the workers affected shall be notified by notices put upon the notice board or electronic notice board or on the Human Resource Portal/IT application or through any other electronic

medium of the industrial establishment, if any, as soon as practicable, when the work will be resumed and whether they are to remain or leave their place of work. The worker shall not ordinarily be required to remain for more than two hours after the commencement of the stoppage. If the period of detention does not exceed one hour the worker so detained shall not be paid for the period of detention. If the period of detention exceeds one hour, the workers so detained shall be entitled to receive wages for the whole of the time during which they are detained as a result of the stoppage. In case of piece rate workers, the average daily earning for the previous month shall be taken to be the daily wage. No other compensation will be admissible in case of such stoppages. Wherever practicable, reasonable notice shall be given of resumption of normal work.

(3) In cases of temporary stoppage of work on account of failure of plant or reasons as specified in paragraph (1) or a temporary curtailment of production of goods and services, the period of unemployment shall be treated as compulsory leave either with or without pay, as the case may be, but where workers have to be stopped for an indefinitely long period, their employment may be terminated after giving them due notice or pay in lieu thereof.

(4) The employer may in the event of a strike affecting either wholly or partially any section or department of the industrial establishment close down either wholly or partially such section or department and any other section or department affected by such closing down, then, the fact of such closure shall be notified by notices put on the notice board or electronic notice board or on the Human Resource portal of the industrial establishment, if any, as soon as practicable. The workers concerned shall also be notified by a general notice, prior resumption of work, as to when work will be resumed.

22. Termination of Employment-

(1) Subject to the provisions of the Industrial Relations Code, 2020 (35 of 2020) and the rules framed there under, for terminating employment of a permanent worker, prior notice of one month shall be given or the worker shall be paid wages in lieu of such notice period and in case of remaining workers as specified in sub-paragraph (3), the notice period shall be regulated as provided in that sub-paragraph.

(2) No temporary worker whether monthly rated, weekly rated or piece rated, and no probationer or badli or fixed term employment or casual worker as a result of non-renewal of contract or employment or on its expiry, shall been titled to any notice or pay in lieu thereof, if his services are terminated:

Provided that the services of a temporary worker shall not be terminated as a punishment unless he has been given an opportunity of explaining the charges of misconduct alleged against him in the manner specified in this behalf under these standing orders.

(3) Where the employment of any worker is terminated, the wages earned by him and other dues, if any, shall be paid before the expiry of the second working day from the day on which his employment is terminated.

23. Disciplinary action for misconduct.-(1) A worker may be suspended by the employer pending investigation or enquiry into complaints or charges of misconduct against him. Such investigation or enquiry, or where there is an investigation followed by enquiry, both the investigation and enquiry shall be ordinarily completed within ninety days from the date of suspension. The worker shall be paid subsistence allowance during the period of suspension which shall be subject to the worker not taking any employment elsewhere during the period of suspension.

(2) The amount of subsistence allowance payable to such worker shall be as under, namely:-

(a) at the rate of fifty percent of wages which the worker was entitled to immediately preceding the date of such suspension, for the first ninety days of suspension; and

(b) at the rate of seventy-five per cent of such wages for the remaining period of suspension, if the delay incompletion of disciplinary proceedings against such worker is not directly attributable to the conduct of such worker.

(3) For the purposes of this standing order, the following shall denote misconduct, namely:-

(a) theft, fraud, or dishonesty in connection with the employer's business or property;

(b) taking or giving of bribes or an illegal gratification whatsoever in connection with the employer's business or his own interests;

(c) wilful insubordination or disobedience, whether alone or in conjunction with another or others, or of any lawful or reasonable order of a superior. The order of the superior should normally be in writing;

(d) habitual late attendance and habitual absence without leave or without sufficient cause;

(e) drunkenness, fighting or riotous, disorderly or indecent behaviours while on duty at the place of work;

(f) habitual neglect of work;

(g) causing wilful damage to work in progress or to property of the employer;

(h) sleeping on duty;

(i) malingering or slowing down work;

(j) acceptance of gifts from subordinate employees;

(k) conviction in any Court of Law for any criminal offence involving moral turpitude;

(l) continuous absence without permission and without satisfactory cause for more than ten days;

(m) giving false information regarding one's name, age, father's name, qualification or previous service at the time of the employment;

(n) leaving work without permission or sufficient reason;

(o) threatening, abusing or assaulting any superior or co-worker;

(p) preaching of, or inciting to, violence;

(q) abetment of or attempt to abetment of any of the aforesaid acts of misconduct;

(r) going on illegal strike either singly or with other workers without giving 14 day's previous notice;

(s) disclosing to any unauthorized person of any confidential information in regard to the working or process of the industrial establishment which may come into the possession of the worker in the course of his work;

(t) refusal to accept any charge-sheet or order or notice communicated in writing;

(u) failure or refusal to wear or use any protective equipment given by the employers;

(v) claiming false bill for reimbursement; and

(w) "sexual harassment" as defined in clause (n) of section 2 of the Sexual Harassment of Women at Workplace(Prevention, Prohibition and Redressal) Act, 2013 (14 of 2013) and includes the circumstances specified in sub-section (2) of section 3 of the said Act.

Note:- The words defined in the Bharatiya Nyaya Sanhita, 2023 and used in this sub-paragraph shall have the same meaning as defined in such Code.

(4) (a) Where a disciplinary proceeding against a worker is contemplated or is pending or where criminal proceedings against him in respect of any offence are under investigation or trial and the employer is satisfied that it is necessary or desirable to place the worker under suspension, he may, by order in writing, suspend him with effect from such date as may be specified in the order. A statement setting out in detail the reasons for such suspension shall be supplied to the worker within a week from the date of suspension.

(b) In the enquiry, the worker shall be entitled to appear in person or to be represented by an office-bearer of a Trade Union of which he is a member or a co-worker of his choice.

(c) The proceedings of the enquiry shall be recorded in Hindi or in English or the language of the State where the industrial establishment is located, whichever is preferred by the worker.

(d) The proceedings of the inquiry shall be completed within a period of ninety days:

Provided that the period of ninety days may, for reasons to be recorded in writing, be extended for such further period as may be deemed necessary by the inquiry officer.

(e) If on the conclusion of the enquiry or, as the case may be, of the criminal proceedings, the worker has been found guilty of the charges framed against him and it is considered, after giving the worker concerned a reasonable opportunity of making representation on the penalty proposed, that an order of dismissal or suspension or fine or stoppage of annual increment or reduction in rank would meet the ends of justice, the employer shall pass an order accordingly:

Provided that when an order of dismissal is passed under this clause, the worker shall be deemed to have been absent from duty during the period of suspension and shall not be entitled to any remuneration for such period, and the subsistence allowance already paid to him shall not be recovered:

Provided further that where an order imposing fine or stoppage of annual increment or reduction in rank is passed under this clause, the worker shall be deemed to have been on duty during the period of suspension and shall be entitled to the same wages as he would have received if he had not been placed under suspension, after deducting the subsistence allowance paid to him for such period:

Provided also that in the case of a worker to whom the provisions of clause (2) of article 311 of the Constitution apply, the provisions of that article shall be complied with.

(f) If on the conclusion of the inquiry, or as the case may be, or the criminal proceedings, the worker has been found not to be guilty of any of the charges framed against him, he shall be deemed to have been on duty during the period of suspension and shall be entitled to the same wages as he would have received if he had not been placed under suspension after deducting the subsistence allowance paid to him for such period.

(g) The payment of subsistence allowance under this sub-paragraph shall be subject to the worker concerned not taking up any employment during the period of suspension.

(5) In awarding punishment under sub-paragraph (4), the authority imposing the punishment shall take into account any gravity of the misconduct, the previous record, if any, of the worker and any other extenuating or aggravating

circumstances that may exist. A copy of the order passed by the authority imposing the punishment shall be supplied to the worker concerned.

(6) (a) A worker aggrieved by an order imposing punishment under sub-paragraph (4) may within twenty-one days from the date of receipt of the order, appeal to the appellate authority specified under clause (b).

(b) The employer shall, for the purposes of Clause (a) specify the appellate authority.

(c) The appellate authority, after giving an opportunity to the worker of being heard shall pass order as he thinks proper on the appeal within fifteen days of its receipt and communicate the same to the worker in writing:

Provided that where there is a complaint of sexual harassment the internal complaint committee constituted for such purpose in each industrial establishment for inquiring into such complaints, shall, notwithstanding anything contained in this paragraph, be deemed to be the inquiring authority appointed by the employer for the purpose of these standing orders and the internal complaint committee shall hold the inquiry under this paragraph, unless separate procedure has been specified by the employer for the complaint committee for holding such inquiry into the complaints of sexual harassment, as far as practicable.

(7) The constitution of internal complaints committee shall be in accordance with the provisions of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.

(8) The internal complaint committee referred to in sub-paragraph (7) shall make and submit every year an annual report, to the employer and the District Officer [as defined under the Sexual Harassment of Women at Workplace(Prevention, Prohibition and Redressal) Act, 2013] and the appropriate Government, of the complaints and action taken.

(9) The employer shall include in it's the annual report of his organisation the number of cases filed, if any, and their disposal under the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.

24.Grievance Redressal and Complaints.- All complaints or grievances arising out of employment including those relating to unfair treatment or wrongful exaction on the part of the employer or his agent, shall be submitted to the Manager or person specified in this behalf with the right to appeal to the employer. In addition, for resolution of disputes arising out of individual grievances, an application in respect of such dispute may be filed before the Grievance Redressal Committee by any aggrieved worker in the manner as provided under the Industrial Relations Code, 2020 and the rules framed there under within one year from the date on which the cause of action of such dispute arises.

25. Liability of Employer and Workers.- The employer of the industrial establishment shall be responsible for the proper and faithful observance of the Standing Orders. The workers shall also observe the Standing Orders truly and faithfully.

26. Forwarding of information to the certifying officer under sub-section (3) of section 30 on adoption of model standing order by an industrial establishment.- (1) If the employer adopts the model standing order of the State Government referred to in section 29 of the Industrial Relations Code, 2020 (35 of 2020), he shall intimate the concerned certifying officer electronically the specific date from which the provisions of the model standing orders have been adopted.

(2) The model standing order adopted under sub-paragraph (1) in respect of an industrial establishment shall also be applicable to all other industrial units of the establishment irrespective of location.

(3) (a) On receipt of information under sub-paragraph (1), the certifying officer shall enter the details of the industrial establishment who has adopted the Model Standing Order in the register maintained under rule 15 of the Industrial Relations (State) Rules, 2020.

(b) In the event, the certifying officer observes that the industrial establishment which has intimated adoption of Model Standing Orders under clause (a) is also engaged in activities (that is to say that the industrial establishment is also engaged in mines or service sector, or both) other than for which Model Standing Orders have been adopted, then, he shall within a period of thirty days from such receipt of intimation of Model Standing Orders so adopted may give his observation, if any, that the employer is also required to include or adopt provisions relating to the industrial establishment engaged in mines or service sector, or both, then the certifying officer shall indicate so and convey such observations to the employer and direct him to comply with such directions within a period of thirty days from the date of the receipt of such direction and to send the compliance report to the certifying officer.

(c) The provisions of the Model Standing Orders so adopted under this paragraph shall remain in force with effect from the date specified in sub-paragraph (1).

Explanation.- For removal of doubt, it is clarified that certifying officer shall not raise any observation in the event the industrial establishment is engaged in activities which are wholly covered by the activities of the industrial establishment to which the Standing Orders apply.

27. Exhibition of Standing Orders.- A copy of these Standing Orders in Hindi, English and in the local language in which majority of workers in a factory are conversant with, shall be displayed on the notice board or electronic notice board and Human Resource portal of the industrial establishment, if any.

Form (i)

(*See* Modal Standing Order 8)

Notice of discontinuance/re -starting of a shift working to be given by the /an employer.

Name of employer.....

Address.....

Date the .....day of .....20.....

In accordance with Standing Order No.....of the Standing Orders certified and approved in respect of my/our industrial establishment, I/we hereby give notice to all concerned that it is my/our intention to discontinue/restart the shift working specified in the Annexure with effect from.....

Signature.....
Designation.....

Annexure

(here specify the particulars of change in the shift working proposed to be effected).

Copy forwarded to:-
(1) The Secretary of registered trade union, if any.
(2) The Assistant Labour Commissioner (State)
(3) The Regional Labour Commissioner (State) Zone.
(4) The Chief Labour Commissioner (Central), New Delhi.]

Note: The notice should be sent by speed post or registered post or on the designated email of the endorsee.

Form (ii)

(*See* Model Standing Order No. 13)

Service Card

Name of Estt. / Factory		
Identity Badge No. /Token No.		
1.	Register Serial No	
2.	Name	
3.	Permanent Account Number (PAN),	
4.	Universal Account Number (UAN)	
5.	Category of worker (unskilled, semiskilled, skilled or highly skilled),	
6.	Details of family members	
7.	Aadhaar number, if consented by the worker	
8.	Specimen Signature/Thumb Impression	
9.	Father's or Mother's or Spouse name	
10.	Gender	
11.	Date of Birth	
12.	Place of Birth	
13	Date of Joining	
14.	Details of Medical certificate at the time of joining	
15.	Educational and other qualifications	
16.	Language which the worker can read	
17.	Language which the worker can write	
18.	Language which the worker can speak	
19.	Height	
20.	Identification Marks	
21.	Department	
22.	Mobile number and email	
23.	Permanent Address	
24.	Local Address	
25.	Quarter No.	
26.	Provident Fund Account No.	
27.	Nominee for Gratuity	
28.	Nominee for pension, if any	
29.	Employees State Insurance No.	
30.	Training courses attended (details)	
31.	Eligibility for higher jobs	
32.	Proficiency tests passed.	
33.	EMPLOYMENT HISTORY	

Department	Token No.	Designation	Scale of Pay	Joined	Left (Reason)
1	2	3	4	5	6
34. ABSENCE PERIODS					
	Form	To	Reason	Medical reports regarding suitability for continued employment	
(i) Sick Leave					
(ii) Earned Leave					
(iii) Any other Leave					
35.	Maternity Benefit				
36.	Employee's Compensation				
	Details of accidents :				
37.	Details of Disciplinary Action				
38.	Promotions				
	(i) Details (ii) Awards (iii) Issue of Certificate of commendation				
39.	Date of superannuation				
40.	Any other matter				

Signature or Thumb impression of the person verifying.

[Schedule- B (See Rule 12)] – Service Sector
Draft Model Standing Orders
[See Section 29(1) and Rule 12]

1. Definition.- (1) In these Model Standing Orders, unless there is anything repugnant to the subject or the context,-

(a) 'Aadhaar" means the Aadhaar referred to in Section 142 of the Code on Social Security, 2020 (36 of 2020)

(b) "Code" means the Industrial Relations Code, 2020 (35 of 2020);

(c) "Form" means a form set out in Schedule appended to these standing orders;

(d) "Habitual" means with respect to indiscipline, a worker shall be habitual if the worker commits any misconduct three or more times in preceding twelve months; and

(e) "Standing Order" with its grammatical variation and cognate expressions, means the standing order of these model standing orders.

(2) The words or expressions used in these model standing orders and not defined therein but defined in the Industrial

Relations Code, 2020 (35 of 2020) shall have the respective meanings assigned to them in the definitions in the Code.

2. (1) **Classification of Worker**.- For the purposes of these standing orders, the workers are classified as below, namely:-

(a) Permanent;
(b) Temporary;
(c) Apprentices;
(d) Probationers;
(e) Badlis;
(h) Fixed Term Employment; and
(i) Casual

(2) A 'Permanent worker' is a worker who has been engaged on a permanent basis in an industrial establishment and includes any person who has satisfactorily completed a probationary period of six months in the same or another occupation in the industrial establishment including breaks due to sickness, accident, leave, lockout, strike (not being an illegal strike) or involuntary closure of the industrial establishment.

(3) A 'Temporary Worker' is a worker who has been engaged for work which is of an essentially temporary nature likely to be finished within a limited period.

(4) 'Apprentice' means a person who is undergoing apprenticeship training in pursuance of a contract of apprenticeship under the Apprenticeship Act, 1961 (52 of 1961).

(5) A 'probationer' is a worker who is provisionally employed to fill a permanent vacancy in a post and has not completed six months 'service therein. The period of probation can be extended further period up to three months after assessing the performance of the probationer for the post, he has been appointed for. If a permanent employee is employed as a probationer in a new post he may, at any time during the probationary period of six months, be reverted to his old permanent post.

(6) A 'badli' is a worker who is appointed against the post of a permanent worker or probationer who is temporarily absent.

(7) "Fixed term employment" means the engagement of a worker on the basis of a written contract of employment with the employer for a fixed period:

Provided that—

(a) his hours of work, wages, allowances and other benefits shall not be less than that of a permanent worker doing the same work or work of similar nature;

(b) he shall be eligible for all statutory benefits available to a permanent worker proportionately according to the period of service rendered by him even if his period of employment does not extend to the qualifying period of employment required in the statute;

(c) he shall be eligible for gratuity, if he renders service under the contract for a period of one year; and

(d) for every completed year of service or part thereof in excess of six months, the employer shall pay gratuity to the worker at the rate of fifteen days wages, based on rate of wages last drawn by the worker concerned as referred to in sub-section (2) of section 53 of the Code on Social Security, 2020 (36 of 2020).

Explanation.- For removal of doubt, it is clarified that the termination of service of a worker as a result of completion of tenure of fixed term employment shall not be included within the meaning of "retrenchment" as defined under clause (zh) of section 2 of the Industrial Relations Code, 2020 (35 of 2020).

(8) "Casual" worker is a worker who has been either engaged for work which is of an essentially casual nature or whose employment is of a casual nature.

3. Identity Badge or Card.- (1) All workers belonging to any categories under the Industrial Relations Code, 2020(35 of 2020) shall be issued an identity badge or card bearing his full name, designation, employee number, blood group, contact number, emergency contact person and his number, and a recent photograph.

(2) A worker should always wear his identity badge or card during the working hours of the industrial establishment and produce the same to the authorized security guard or personnel to allow him the right of entry and stay in the premises of the industrial establishment.

(3) Such identity badge shall not be transferable to any other persons or workers. Safe custody of the identity badges or cards shall be ensured by the concerned workers.

(4) Every worker, who ceases to be in employment of the industrial establishment or is suspended from services, shall surrender his identity badge or card to the Department Head or the officer of the industrial establishment designated for such purpose.

4. Publication of Working Timings.- (1) The periods of hours of work for all categories of workers shall be exhibited on the notice board or Electronic Notice Board and on the Human Resource Portal/IT Application of the industrial establishment, if any, from time to time in Hindi, English and in local language in which majority of workers in the industrial establishment are conversant.

Provided that in case of IT Sector, the working hour shall be as per agreement or conditions of appointment between employer and workers.

(2) Any change in periods of hours of work, number of shifts, shift timings, work on all the days of the week with staggered weekly holidays system or like other matters, shall also be displayed on notice board or electronic notice board of the industrial establishment.

5. Publication of Holidays, Pay days and Wage rates.- (1) Notices specifying the days observed by the industrial establishment as holidays, and pay days shall be posted on the electronic notice board or notice board and website or Human Resource portal/IT Application of the industrial establishment, if any.

(2) A list of national and festival Holidays shall be displayed on the Electronic notice board or notice board and website or Human Resource portal of the industrial establishment, if any.

Explanation: If a worker is required to work on any Holidays, he/she shall be given benefits as per prevalent law(s) applicable to workers.

6. Publication of wage rates.- Wage rates payable to all categories of workers shall be displayed on the electronic notice board or notice board and website or Human Resource portal of the industrial establishment, if any, in Hindi, English and local language in which majority of workers in industrial establishment are conversant.

7. Shift working.- (1) More than one shift may be worked in a department or departments or any section of a department of the industrial establishment at the discretion of the employer. If more than one shift is worked, the worker shall be liable to be transferred from one shift to another. No shift working shall be discontinued without twenty one days' notice being given in writing to the workers prior to such discontinuance:

Provided that no such notice shall be necessary if the closing of the shift is under an agreement with the workers affected or mutually agreed between employer and worker. If as a result of the discontinuance of the shift working, any worker is to be retrenched, such retrenchment shall be effected in accordance with the provisions of the Industrial Relations Code, 2020 (35 of 2020) and the rules made there under. If shift working is re-started, the workers shall be given notice and re-employed in accordance with the provisions of the said Code and the said rules.

(2) Whenever an additional shift is started, or shifts are restarted or discontinued or altered, twenty- one days prior notice, shall be given to the affected workers:

Provided that no notice shall be required in case of emergent situation which requires change of shift or shift working, otherwise than in accordance with Standing Order, in consultation with Grievance Redressal Committee in pursuant of clause (c) section 40 of the Industrial Relations Code, 2020 (35 of 2020):

Provided further that if there is an agreement between employer and worker regarding change of shift, then no prior notice is required to given by the management/employer.

Provided also that no notice shall be required, if such change is effected in accordance with the orders of the Central Government or State Government, as the case may be, or in pursuance of any settlement or award as envisaged in clause (d) of section 40 of the Industrial Relations Code, 2020(35 of 2020).

8. Notice of changes in shift working.- Any notice of discontinuance or of re-starting of a shift working required by this Standing Order, shall be in Form-(i) appended to these standing orders and shall be served in the following manner, namely :-

(a) The notice shall be displayed conspicuously by the employer on a notice-board or electronic notice board and Human Resource portal of the industrial establishment if any; and

(b) Where any registered trade union of workers exists, then, a copy of the notice referred to in clause (a) shall also be served electronically or by registered post to the Secretary of such union.

9. Attendance and Late Coming.- (1) All workers shall be at work at the time fixed and notified under paragraph 5.Worker attending late will be liable for deduction provided for in the Code on Wages, 2019 (29 of 2019).

(2) All workers shall comply with the regulations related to hours of work for the time being in force.

(3) Workers shall register their attendance at the start of the shift and at the close of the shift after and before change of uniform, if any, respectively.

(4) Workers shall use identity card or biometrics or any other system as has been notified to register their attendance.

(5) No worker shall use or punch the Identity badge or Card other than his own under any circumstances.

(6) Any worker, reporting late than the scheduled time for reporting shall not be permitted to enter his department or section, unless permitted by the express permission of the manager, or any other officer, duly authorized for such purpose.

(7) A worker shall be deemed absent, if he/she fails to attend duty, unless he has obtained written permission for such absence from the manager or the Officer authorized in this behalf.

(8) A worker who comes late and remains absent will be liable to deduction of wages as provided under the Code on Wages, 2019 (29 of 2019).

10. Leave.- (1) Holidays with pay will be allowed as provided for in the Occupational Safety, Health and Working Conditions Code, 2020 (37 of 2020), and other holidays in accordance with law, contract, custom and usage applicable.

(2) Leave cannot be claimed as matter of right.

(3) A worker who desires to obtain leave of absence shall apply to the employer or any other officer of the industrial establishment specified in this behalf by the employer at least seven days in advance from the date of proposed date of leave. The employer or any other officer of the industrial establishment, who is responsible for issuing the order, shall issue the same within a week of its submission or two days prior to the commencement of the leave applied for, whichever is earlier. If the leave has been applied and the leave is to commence on the date of the application or within three days thereof, then the worker shall mention the reason for late submission of application for leave. The order on such leave shall be given on the same day. If the leave is refused or postponed, the fact of such refusal or postponement and the reasons there for shall be communicated to him in writing or electronic mode.

(4) Where the worker after proceeding on leave desires an extension thereof, he shall apply to the employer or the officer specified in this behalf by the employer, who shall send a reply either granting or refusing extension of leave to the worker in writing or electronic mode, and if such reply is likely to reach him before the expiry of the leave originally granted to him.

(5) Leave with wages and allowances shall be granted to all the workers in accordance with the law as applicable to the industrial establishment and under Standing Orders.

(6) No employee while on leave shall take up any employment or any vocation for profit or gain.

11. Casual Leave.- A worker may be granted casual leave of absence with wages not exceeding ten days in the aggregate in a calendar year. Such leave shall not be for more than three days at a time except in case of sickness.

Such leave is intended to meet special circumstances which cannot be foreseen. Ordinarily, the previous permission of the head of the department or the controlling authority in the industrial establishment shall be obtained before such leave is taken, but when this is not possible, the head of the department or the controlling authority shall, as soon as may be practicable, be informed in writing or through electronic mode of the absence from and of the probable duration of such absence.

12. Payment of Wages. –

(1) The employer shall pay or cause to be paid wages to the worker, engaged on—

(i) daily basis, at the end of the shift;

(ii) weekly basis, on the last working day of the week, that is to say, before the weekly holiday;

(iii) fortnightly basis, before the end of the second day after the end of the fortnight;

(iv) monthly basis, before the expiry of the seventh day of the succeeding month.

(2) All wages shall be paid in current coin or currency notes or by cheque or by crediting the wages in the bank account of the worker or by the electronic mode.

Provided, the employer shall pay the wages only by cheque or by crediting the wages in his bank account if specified through notification by appropriate government, under the Code on Wages, 2019

(3) Where a worker has been—

(i) removed or dismissed from service; or

(ii) retrenched or has resigned from service, or became unemployed due to closure of the establishment, the wages payable to him shall be paid within two working days of his removal, dismissal, retrenchment or his resignation, as the case may be.

(4) Every employer shall issue wage slips to the worker in such form and manner as prescribed in Code on Wages, 2019.

(5) There shall be no deductions from the wages of the worker, except those as are authorized under the Code on Wages, 2019.

(6) All fines and all realisations from the wages of the worker shall be carried out in accordance with the section 19 of the Code on Wages, 2019.

(7) Notice specifying wage period and payment date shall be exhibited on the notice board or electronic board and on the Human Resource portal/IT Application in Hindi, English and regional language familiar to the majority of workers.

13. Service Record.- (1) Matters relating to service card, certification of service, change of residential address of workers and record of their age shall form part of service record and –

(i) Every industrial establishment shall maintain a service card in respect of each worker electronically or in manual form, wherein particulars of that worker shall be recorded with the knowledge of that worker in Form-(ii) and it shall be updated periodically. In case of manual maintenance of service card, the record shall be duly attested by an authorized officer in this behalf together with date.

(ii) Every worker shall be entitled to a service certificate, specifying the nature of work, designation and the period of employment (indicating the days, months, years) at the time of discharge, termination, retirement or resignation from service to be issued by an employer within 10 days of such instance;

(iii) A worker shall notify the employer immediately on engagement, the details of his residential address, mobile number, e-mail, emergency contact name and number, nominees for claiming dues in case of death and thereafter promptly communicate to his employer any change of his residential address. In case, the worker has not communicated to his employer the change in his residential address, his last known address shall be treated by the employer as his residential address for sending any communication;

(iv) Every worker shall indicate his exact date of birth to the employer or the officer authorized by him in this behalf, at the time of entering service in the industrial establishment. The employer or the officer authorized by him in this behalf may before the date of birth of a worker is entered in his service card, require him to supply,-

(a) his matriculation or school leaving certificate granted by the Board of Secondary Education or equivalent certificate granted by similar educational authority; or

(b) a certified copy of his date of birth as recorded in the registers of a municipality, local authority or Panchayator Registrar of Births; or

(c) a copy of Aadhaar, if agreed by the worker; and

(d) in the absence of either of the aforesaid three categories of certificate, the employer or the officer authorised by him in this behalf may require the worker to supply, a certificate from a Government Medical Officer not below the rank of an Assistant Surgeon indicating the probable age of the worker:

Provided that the cost of obtaining such certificate is borne by the employer;

(v) where it is not practicable to obtain a certificate from a Government Medical Officer, an affidavit sworn, either by the workman or his parents, or by a near relative, who is in a position to know about the workman's actual or approximate date of birth, before a first Class Magistrate or Oath Commissioner, as evidence in support of the date of birth given by him.

(2) The date of birth of a worker, once entered in the service card of the industrial establishment shall be the sole evidence of his age in relation to all matters pertaining to his service including fixation of the date of his retirement from the service of the industrial establishment. All formalities regarding recording of the date of birth shall be finalized within three months of the date of the appointment of a worker.

(3) Cases, where date of birth of any worker had already been decided before the date these standing orders come into force shall not be reopened under these standing orders.

Note.- Where the exact date of birth of a worker is not available and the year of birth is only established, then, the 1st July of the said year shall be taken as the date of birth.

14. Confirmation.- The employer shall, in accordance with the terms and conditions stipulated in the letter of appointment, confirm the eligible worker and issue a letter of confirmation to him. Whenever, a worker is confirmed, an entry with regard to the confirmation shall also be made in his service card within a period of thirty days from the date of such confirmation.

15. Age of retirement.- The age of retirement or superannuation of a worker shall be such as may be agreed upon between the employer and the worker under a written agreement or as specified in a settlement or award which is binding on both the worker and the employer. Where there is no such agreed age, retirement or superannuation shall be on completion of fifty eight years of age by the worker.

16. Transfer.- (1) There shall be a transfer policy of the industrial establishment and same shall be known to all workers. The details of transfer policy shall be available on the Human Resource (HR) portal.

(2) A worker may be transferred according to the transfer policy and exigencies of work from one shop or department to another or from one station to another or from one industrial establishment to another under the same employer:

Provided that the wages, grade, continuity of service and other conditions of service of the worker shall not be adversely affected by such transfer:

Provided further that a worker shall be transferred from one job to another, which he is capable of doing:

Provided also that where the transfer involves moving from one State to another such transfer shall take place, either with the consent of the worker or where there is a specific provision to that effect in the letter of appointment and transfer policy in accordance with such provision and policy:

Provided also that unless -

(a) reasonable notice is given to such worker, and

(b) reasonable joining time is allowed in case of transfers from one station to another and the worker concerned shall be paid travelling allowance including the transport charges and fifty per cent thereof to meet incidental charges, such transfer shall not be effected.

(3) Subject to the provisions contained in paragraph (1) and (2), the employer may, transfer, depute or assign a worker to any other assignment, team, department or office (whether in India or abroad) of the employer or any affiliates / client of the employer.

17. Medical aid in case of accidents.- (1) Where a worker meets with an accident in the course of or arising out of his employment, the employer shall, at the employer's expense, make satisfactory arrangements for immediate and necessary medical aid to the injured worker and shall arrange for his further treatment, if considered necessary by the doctor attending on him.

(2) Wherever the worker is entitled for treatment and benefits under the Social Security Code, 2020 (36 of 2020), then, he shall be entitled for treatment and benefits under that Code.

18. Medical Examination.- (1) Wherever the recruitment rule or any contract of appointment or Fixed Term Employment specify medical examination of a worker, on his first appointment, the employer shall at the employer's expense make arrangements for medical examination.

(2) All workers to be employed in the industrial establishment shall be required to clear the medical examination by the Medical Authority nominated by the industrial establishment for such purpose, at the time of first appointment.

(3) The industrial establishment may at any time direct any worker to undergo medical examination by any Medical Officer nominated to ascertain workers' fitness relatable to satisfactory performance of his job. The term "Medical Officer" shall have same meaning as it has in sub-section (1) of section 42 of Occupational Safety, Health and Working Condition Code, 2020 (37 of 2020).

(4) A worker who comes to know that he has contracted any infectious or contagious disease shall immediately notify the concerned Manager of such a happening and shall remain away ~~of~~ from work until permitted to return on work by the Manager concerned and during such period, the worker shall be treated on leave to the extent of days he has leave with wages to his credit. Disciplinary action may be taken against a worker if he deliberately suppresses the fact of his suffering from an infectious or contagious disease and such a conduct on the part of the worker shall amount to misconduct within the meaning of these Standing Orders.

19. Secrecy.- No worker shall take any papers, books, drawings, photographs, instruments, apparatus, documents or any other property either in electronic form or physical form, of an industrial establishment out of the work premises except with the written permission of his immediate superior, nor shall he in any way pass or cause to be passed or disclose or cause to be disclosed any information or matter concerning the manufacturing process, trade secrets and confidential documents of the industrial establishment to any unauthorized person, company or corporation without the written permission of the employer. Disciplinary action may be taken against a worker if he does not comply with the provisions in this paragraph and such a conduct on the part of the worker shall amount to misconduct within the meaning of these Standing Orders.

20. Exclusive Service.- A worker shall not at any time work against the interest of the industrial establishment in which he is employed and shall not take any employment in addition to his job in the industrial establishment, which may

adversely affect the interest of his employer, but, the employer may permit him to take up additional job, assignment with conditions or without conditions and the worker shall obtain prior permission of the employer.

21. Stoppage of work. - (1) The employer may, at any time, in the event of fire, catastrophe, break-down of machinery or stoppage of power supply, disaster, pandemic, epidemics, civil commotion or other cause beyond his control, stop any section or sections of the industrial establishment, wholly or partially for any period or periods without notice.

(2) In the event of such stoppage during working hours, the workers affected shall be notified by notices put upon the notice board or electronic notice board or on the Human Resource Portal/IT application or through any other electronic medium of the industrial establishment, if any, as soon as practicable, when the work will be resumed and whether they are to remain or leave their place of work. The worker shall not ordinarily be required to remain for more than two hours after the commencement of the stoppage. If the period of detention does not exceed one hour the worker so detained shall not be paid for the period of detention. If the period of detention exceeds one hour, the workers so detained shall be entitled to receive wages for the whole of the time during which they are detained as a result of the stoppage. In case of piece rate workers, the average daily earning for the previous month shall be taken to be the daily wage. No other compensation will be admissible in case of such stoppages. Wherever practicable, reasonable notice shall be given of resumption of normal work.

(3) In cases of temporary stoppage of work on account of failure of plant or reasons as specified in paragraph (1) or temporary curtailment of production of goods and services, the period of unemployment shall be treated as compulsory leave either with or without pay, as the case may be, but where workers have to be stopped for an indefinitely long period, their employment may be terminated after giving them due notice or pay in lieu thereof.

(4) The employer may in the event of a strike affecting either wholly or partially any section or department of the industrial establishment close down either wholly or partially such section or department and any other section or department affected by such closing down, then, the fact of such closure shall be notified by notices put on the notice board or electronic notice board or on the Human Resource portal of the industrial establishment, if any, as soon as practicable. The workers concerned shall also be notified by a general notice, prior resumption of work, as to when work will be resumed.

22. Termination of Employment:

(1) Subject to the provisions of the Industrial Relations Code, 2020 (35 of 2020) and rules framed there under, for terminating employment of a permanent worker, prior notice of one month shall be given or the worker shall be paid wages in lieu of such notice period and in case of remaining workers as specified in sub-paragraph (3), the notice period shall be regulated as provided in that sub-paragraph.

(2) No temporary worker whether monthly rated, weekly rated or piece rated, and no probationer or badli or fixed term employment or casual worker as a result of non-renewal of contract or employment or on its expiry, shall been titled to any notice or pay in lieu thereof, if his services are terminated:

Provided that the services of a temporary worker shall not be terminated as a punishment unless he has been given an opportunity of explaining the charges of misconduct alleged against him in the manner specified in this behalf under these standing orders.

(3) Where the employment of any worker is terminated, the wages earned by him and other dues, if any, shall be paid before the expiry of the second working day from the day on which his employment is terminated.

23. Disciplinary action for misconduct.-(1) A worker may be suspended by the employer pending investigation or enquiry into complaints or charges of misconduct against him. Such investigation or enquiry, or where there is an investigation followed by enquiry, both the investigation and enquiry shall be ordinarily completed within ninety days from the date of suspension. The worker shall be paid subsistence allowance during the period of suspension which shall be subject to the worker not taking any employment elsewhere during the period of suspension.

(2) The amount of subsistence allowance payable to such worker shall be as under, namely:-

(a) at the rate of fifty percent of wages which the worker was entitled to immediately preceding the date of such suspension, for the first ninety days of suspension; and

(b) at the rate of seventy-five per cent of such wages for the remaining period of suspension, if the delay incompletion of disciplinary proceedings against such worker is not directly attributable to the conduct of such worker.

(3) For the purposes of this standing order, the following shall denote misconduct, namely:-

(a) theft, fraud, or dishonesty in connection with the employer's business or property;

(b) taking or giving of bribes or an illegal gratification whatsoever in connection with the employer's business or his own interests;

(c)wilful insubordination or disobedience, whether alone or in conjunction with another or others, or of any lawful or reasonable order of a superior. The order of the superior should normally be in writing;

(d) habitual late attendance and habitual absence without leave or without sufficient cause;

(e) drunkenness, fighting or riotous, disorderly or indecent behaviours while on duty at the place of work;

(f) habitual neglect of work;

(g) causing willful damage to work in progress or to property of the employer;

(h) sleeping on duty;

(i) malingering or slowing down work;

(j) acceptance of gifts from subordinate employees;

(k) conviction in any Court of Law for any criminal offence involving moral turpitude;

(l) continuous absence without permission and without satisfactory cause for more than ten days;

(m) giving false information regarding one's name, age, father's name, qualification or previous service at the time of the employment;

(n) leaving work without permission or sufficient reason;

(o) threatening, abusing or assaulting any superior or co-worker;

(p) preaching of, or inciting to, violence;

(q) abetment of or attempt to abetment of any of the aforesaid acts of misconduct;

(r) going on illegal strike either singly or with other workers without giving 14 day's previous notice;

(s) disclosing to any unauthorized person of any confidential information in regard to the working or process of the industrial establishment which may come into the possession of the worker in the course of his work;

(t) refusal to accept any charge-sheet or order or notice communicated in writing;

(u) failure or refusal to wear or use any protective equipment given by the employers;

(v) claiming false bill for reimbursement; and

(w) Involvement in unauthorized access of any IT system, computer network of the employer/ customer/client.

(x) "sexual harassment" as defined in clause (n) of section 2 of the Sexual Harassment of Women at Workplace(Prevention, Prohibition and Redressal) Act, 2013 (14 of 2013) and includes the circumstances specified in sub-section (2) of section 3 of the said Act.

Note:- The words defined in the Indian Penal Code (45 of 1860) and used in this sub-paragraph shall have the same meaning as defined in such Code.

(4) (a) Where a disciplinary proceeding against a worker is contemplated or is pending or where criminal proceedings against him in respect of any offence are under investigation or trial and the employer is satisfied that it is necessary or desirable to place the worker under suspension, he may, by order in writing, suspend him with effect from such date as may be specified in the order. A statement setting out in detail the reasons for such suspension shall be supplied to the worker within a week from the date of suspension.

(b) In the enquiry, the worker shall be entitled to appear in person or to be represented by an office-bearer of a Trade Union of which he is a member or a co-worker of his choice.

(c) The proceedings of the enquiry shall be recorded in Hindi or in English or the language of the State where the industrial establishment is located, whichever is preferred by the worker.

(d) The proceedings of the inquiry shall be completed within a period of ninety days:

Provided that the period of ninety days may, for reasons to be recorded in writing, be extended for such further period as may be deemed necessary by the inquiry officer.

(e) If on the conclusion of the enquiry or of the criminal proceedings, as the case may be, the worker has been found guilty of the charges framed against him and it is considered, after giving the worker concerned a reasonable opportunity of making representation on the penalty proposed, that an order of dismissal or suspension or fine or stoppage of annual increment or reduction in rank would meet the ends of justice, the employer shall pass an order accordingly:

Provided that when an order of dismissal is passed under this clause, the worker shall be deemed to have been absent from duty during the period of suspension and shall not be entitled to any remuneration for such period, and the subsistence allowance already paid to him shall not be recovered:

Provided further that where an order imposing fine or stoppage of annual increment or reduction in rank is passed under this clause, the worker shall be deemed to have been on duty during the period of suspension and shall be entitled to the same wages as he would have received if he had not been placed under suspension, after deducting the subsistence allowance paid to him for such period:

Provided also that in the case of a worker to whom the provisions of clause (2) of article 311 of the Constitution apply, the provisions of that article shall be complied with.

(f) If on the conclusion of the inquiry, or as the case may be, or the criminal proceedings, the worker has been found not to be guilty of any of the charges framed against him, he shall be deemed to have been on duty during the period of suspension and shall be entitled to the same wages as he would have received if he had not been placed under suspension after deducting the subsistence allowance paid to him for such period.

(g) The payment of subsistence allowance under this sub-paragraph shall be subject to the worker concerned not taking up any employment during the period of suspension.

(5) In awarding punishment under sub-paragraph (4), the authority imposing the punishment shall take into account any gravity of the misconduct, the previous record, if any, of the worker and any other extenuating or aggravating circumstances that may exist. A copy of the order passed by the authority imposing the punishment shall be supplied to the worker concerned.

(6) (a) A worker aggrieved by an order imposing punishment under sub-paragraph (4) may within twenty-one days from the date of receipt of the order, appeal to the appellate authority specified under clause (b).

(b) The employer shall, for the purposes of Clause (a) specify the appellate authority.

(c) The appellate authority, after giving an opportunity to the worker of being heard shall pass order as he thinks proper on the appeal within fifteen days of its receipt and communicate the same to the worker in writing:

Provided that where there is a complaint of sexual harassment the internal complaint committee constituted for such purpose in each industrial establishment for inquiring into such complaints, shall, notwithstanding anything contained in this paragraph, be deemed to be the inquiring authority appointed by the employer for the purpose of these standing orders and the internal complaint committee shall hold the inquiry under this paragraph, unless separate procedure has been specified by the employer for the complaint committee for holding such inquiry into the complaints of sexual harassment, as far as practicable.

(7) The constitution of internal complaints committee shall be in accordance with the provisions of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.

(8) The internal complaint committee referred to in sub-paragraph (6) (7) shall make and submit every year an annual report, to the employer and the District Officer [as defined under the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013] and the appropriate Government, of the complaints and action taken.

(9) The employer shall include in the annual report of his organization the number of cases filed, if any, and their disposal under the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.

24. Grievance Redressal and Complaints.- All complaints or grievances arising out of employment including those relating to unfair treatment or wrongful exaction on the part of the employer or his agent, shall be submitted to the Manager or person specified in this behalf with the right to appeal to the employer. In addition, for resolution of disputes arising out of individual grievances, an application in respect of such dispute may be filed before the Grievance Redressal Committee by any aggrieved worker in the manner as provided under the

Industrial Relations Code, 2020 and the rules framed there under within one year from the date on which the cause of action of such dispute arises.

25. Liability of Employer and Workers.- The employer of the industrial establishment shall be responsible for the proper and faithful observance of the Standing Orders. The workers shall also observe the Standing Orders truly and faithfully.

26. Forwarding of information to the certifying officer under sub-section (3) of section 30 on adoption of model standing order by an industrial establishment.- (1) If the employer adopts the model standing order of the State Government referred to in section 29 of the Industrial Relations Code, 2020 (35 of 2020), he shall intimate the concerned certifying officer electronically the specific date from which the provisions of the model standing orders have been adopted.

(2) The model standing order adopted under sub-paragraph (1) in respect of an industrial establishment shall also be applicable to all other industrial units of the establishment irrespective of location.

(3) On receipt of information under sub-paragraph (1), the certifying officer shall enter the details of the industrial establishment who has adopted the Model Standing Order in the register maintained under rule 15 of the Industrial Relations (State) Rules, 2020. In the event, the certifying officer observes that the industrial establishment which has intimated adoption of Model Standing Order is also engaged in activities other than for which Model Standing Order has been adopted then, he shall within a period of thirty days from such receipt of intimation of Model Standing Orders so adopted may give his observation, if any, that the employer is required to include or adopt certain provisions which are relevant to his industrial establishment and indicate those relevant provisions and direct the employer of the industrial establishment that he shall, within a period of thirty days from the date of the receipt of such direction comply with the direction and send compliance report only in respect of those provisions which the certifying officer observes to get included. The provisions of the Model Standing Orders so adopted shall remain in force with effect from the date specified in sub-paragraph (1).

Explanation.- For removal of doubt, it is clarified that certifying officer shall not raise any observation in the event the industrial establishment is engaged in activities which are wholly covered by the activities of the industrial establishment to which the Standing Orders apply.

27. Exhibition of Standing Orders.- A copy of these Standing Orders in Hindi, English and in the language in which majority of workers in a factory are conversant with, shall be displayed on the notice board or electronic notice board and Human Resource portal of the industrial establishment, if any.

Form (i)

(*See* Modal Standing Order 8)

Notice of discontinuance/re -starting of a shift working to be given by the /an employer.

Namc of cmployer.....

Address.....

Date the .....day of .....20.....

In accordance with Standing Order No.....of the Standing Orders certified and approved in respect of my/our industrial establishment, I/we hereby give notice to all concerned that it is my/our intention to discontinue/restart the shift working specified in the Annexure with effect from.....

Signature.....
Designation.....

Annexure

(here specify the particulars of change in the shift working proposcd to be effected).

Copy forwarded to:-

(1) The Secretary of registered trade union, if any.
(2) The Deputy Commissioner of Labour for the area
(3) The Joint Commissioner of Labour for the area.
(4) The Commissioner of Labour, Andhra Pradesh, Vijayawada.

Note: Thc notice should be sent by speed post or registered post or on the designated email of the endorsee.

Form (ii)

(*See* Model Standing Order No. 14)

Service Card

Name of Estt.		
Identity Badge No. /Token No.		
1.	Register Serial No	
2.	Name	
3.	Permanent Account Number (PAN),	
4.	Universal Account Number (UAN)	
5.	Category of worker (unskilled, semiskilled, skilled or highly skilled),	
6.	Details of family members	
7.	Aadhaar number, if consented by the worker	
8.	Specimen Signature/Thumb Impression	
9.	Father's or Mother's or Spouse name	
10.	Gender	
11.	Date of Birth	
12.	Place of Birth	
13	Date of Joining	
14.	Details of Medical certificate at the time of joining	
15.	Educational and other qualifications	
16.	Language which the worker can read	
17.	Language which the worker can write	
18.	Language which the worker can speak	
19.	Height	
20.	Identification Marks	
21.	Department	
22.	Mobile number and email	
23.	Quarter No.	
24.	Permanent Address	
25.	Local Address	
26.	Provident Fund Account No.	
27.	Nominee for Gratuity	
28.	Nominee for pension, if any	
29.	Employees State Insurance No.	
30.	Training courses attended (details)	
31.	Eligibility for higher jobs	
32.	Proficiency tests passed.	
33.	EMPLOYMENT HISTORY	

Department	Token No.	Designation	Scale of Pay	Joined	Left (Reason)
1	2	3	4	5	6
34. ABSENCE PERIODS					
	Form	To	Reason	Medical reports regarding suitability for continued employment	
(i) Sick Leave					
(ii) Earned Leave					
(iii) Any other Leave					
35.	Maternity Benefit				
36.	Employee's Compensation				
	Details of accidents :				
37.	Details of Disciplinary Action				
38.	Promotions				
	(i) Details (ii) Awards (iii) Issue of Certificate of commendation				
39.	Date of superannuation				
40.	Any other matter				

Signature or Thumb impression of the person verifying.

APPENDIX

THE A.P. TRADE UNION REGULATIONS, 1927

(As adapted by the State of Andhra Pradesh)

(*See* rule 53)

1. (1) These regulations may be called the Andhra Pradesh Trade Union Regulations
(2) They shall extend to and be in force in the whole of the State of Andhra Pradesh

2. In these regulations, ---
(a) "Words and expressions used but not defined in these regulations shall have the meanings respectively assigned to them in the Act.

3. Every application for registration of a trade union under Section 8 shall be made in Form A.
3-A. Upon an application under Regulation 3 being made, the Registrar may require from the applications such evidence as may appear to him necessary for the purpose of ascertaining whether the applicants have been duly authorized to make the application on behalf of the trade union.

4. The register of trade unions referred to in Section 9 shall be maintained in Form B.

5. [(1)] The certificate of registration issued by the Registrar under Section 9 shall be in Form C.

[(2)] Upon an application for a copy of the certificate issued under Clause (1) being made, the Registrar may, after satisfying himself that the original certificate is lost, damage or untraceable, issue a copy thereof marked 'duplicate' on payment of a fee the State Government.

6. Every application for cancellation or withdrawal of registration under Section 9 shall be presented to the Registrar in Form CC. It shall be signed by the Secretary and seven more members of the trade union.

7. There shall be appended to every such application a certificate issued by the members making it to the effect that the statement contained in the application is to the best of their knowledge and belief.

8. Upon an application for the cancellation of withdrawal of registration of a trade union being presented to him, the Registrar, if he has reasons to believe, that the applications have not been duly [authorized by a resolution of the general body meeting of the members of such union to make the same may, for the purpose of ascertaining the fact require from the applications such evidence as may seem to him necessary and examine any office-bearer of such union.

9. The Registrar, shall, when he purposes to withdraw or cancel the certification of registration of a trade union under Section 9 cause to be served a notice in Form-D on the trade union through its Secretary in person or by registered post.

10. The certificate of registration issued to a trade union under Regulation 5 shall be surrendered by the Secretary of the union when the Registrar decides to withdraw or cancel such certificate under Section 9.

11. (1) The Registrar on receipt of a notice of transfer of head office of a trade union from this State shall forward to the Registrar of the State to which the head office of the Trade Union has been transferred, a copy of all the entries contained in the registrar prescribed by Regulation 4 and a copy of the rules of the Union with all amendments thereto.

(2) The Registrar of the State to which the office of the Trade Union has been transferred may thereupon enter in this Registrar the particulars relating to the trade union and certify the fact of such registration on the certificate already issued under Regulation 5. The Secretary of the Union shall present the certificate to the Registrar for this purpose.

(3) The procedure prescribed in Clause (2) shall be followed also in respect of a trade union whose head office has been transferred to this State from another State.

Provided that, if the name of the trade union, the head office of which has been transferred to this State from another State is identical with that by which any other trade union in this State has been registered or, in opinion of the Registrar, so nearly resembles such name as to be likely to confuse the public or the member of either trade union whose head office has been transferred to the State from another State to change its name any refuse to act under Clause (2) until such change has been made.

[11-A. Notice of any change in the address of the Head Office of a trade union shall be given to the Registrar in Form-DD within a fortnight of change.

12. [(1) When a Registrar registers a change of name under Section 24, he shall certify under his signature at the foot of the certificate issued under Regulation 5 that the new name has been registered. The Secretary shall present the certificate to the Registrar for this purpose.

[(2) Notice of any change in the name of trade union shall be sent to the Registrar in Form-DDD within the fortnight of such change].

13. [(1) Notice of every amalgamation of trade unions under Section 24 shall be sent to the Registrar in duplicate in Form-DDDD within a fortnight of such amalgamation.

Provided any change in the address of the head office of a trade union shall be passed by resolution at a general body meeting of the trade union.

[(2) When the amalgamated trade union is registered under sub-section (4) of the said section, it shall be assigned a new number in the register in From-B and the Registrar shall issue a new certificate in Form-C thereof. He shall also note the fact of amalgamation against the entries, if any relating to the trade unions so amalgamated in the register in Form-B].

13-A. (1) Whenever any office-bearer or member of the Executive Committee is convicted by a Court in India of any offence involving moral turpitude and sentenced to imprisonment, the union shall give a notice in Form G to the Registrar of Trade Unions within 30 days of such conviction.

(2) The Union which fails to give such notice shall be liable for action under the provisions of the Act.

14. The fee payable for the registration of a trade union shall be as notified the Commissioner of Labour.

15. (1) On receiving a copy of the alteration made in the rules of a trade union, the Registrar, after satisfying himself that the alteration has been made in the manner laid down by the rules of the trade union and is not inconsistent with any of the provisions of the act shall register the alteration in the register of trade union prescribed under Regulation 4 and deliver to the Secretary of such trade union a copy of the alteration with a certificate appended thereto to the effect that alteration has been duly registered by him.

(2) The fee payable for registration of alteration of rules shall be as notified by the Commissioner of Labour for each set of alteration made simultaneously.

16. Any appeal under sub-section (1) of Section 10 of the Code shall be filed within (ninety days) of the date of order against which the appeal is made.

17. [(1)] When a registered trade union is dissolved under Section 25, notice of dissolution shall be sent to the Registrar in Form-DDDDD.

[(2)] Along with the notice for dissolution under Section 25 certificate issued under Regulation 5 shall be surrendered. When the Registrar registers he dissolution, he shall send an intimation of the fact such registration under his signature to the Secretary of the trade union.

[(3)] Where it is necessary for the Registrar, to distribute the funds of trade union which has been dissolved, he shall divide the funds in proportion to the amounts contributed by the members on roll at the time of dissolution, by way of subscription to the several funds of the trade union during their membership. In the event of the death of a member of a trade union subsequent to the date of its dissolution but prior to the distribution of funds, the Registrar shall pay the sum payable to such member to his legal representative.

17-A. Forms B and D [and the receipt of the notice in Form 'DD'] which are by these regulations required to be signed or initialed by the Registrar may be signed or initialed under his discretion, and on his behalf by any Gazetted Officer subordinate to him in writing for this purpose.

18. The annual return to be furnished under Section 26 shall be submitted in duplicate to the Registrar on or before the (30th April) in each year and shall be in Form E.

18-A. Every registered trade union shall maintain the following books and registers to facilitate the audit of its accounts: ---

(1) Register of membership and subscriptions in Form "F";
(2) Register of receipts and disbursements of the General Fund Accounts;
(3) Minutes book to record the proceedings of all meetings;
(4) Register of stock, tools and plant showing the furniture fittings and valuable documents relating to the immovable property of the union.
(5) Machine numbered subscription receipt book.
(6) Register of receipts and disbursement of the political fund if there is a political fund; and
(7) A file of vouchers.

19. (1) The annual audit of the accounts of registered trade union shall be conducted---

(a) By an auditor authorized to audit the accounts of companies under the Companies Act, (Central Act 1 of 1956)];
(b) By the Examiner of Local Fund Accounts or by an auditor deputed by the Examiner of Local Fund Accounts; or
(c) By the Registrar of Co-operative Societies; or
(d) By an auditor appointed to conduct the audit of the Co-operative Societies by the Government or the Registrar of Co-operative Societies or by any Co-operative Organization recognized by the Government for this purpose; or];
(e) If the membership of the union did not at any time during the financial year exceed 2,500 by any person who, having held an appointment under the [Government] in any audit or accounts department, is in receipt of a penson of not less than Rs.200 per mensem; or
(f) If the membership of the union did not at any time during the financial year exceed 750:--
  (i) By any person who, having held an appointment under (Government) in any audit or accounts department is in receipt of a pension of not less than Rs.75 per mensem; or
  (ii) By any (State) Co-operative organization recognized by the Government for this purpose; or
(g) If the membership of the union did not, at any time during the financial year exceed 250, by any two members of the union.

(2) Where the trade union is a federation of the unions and the unions affiliated to it any time during the financial year did not exceed 50, 15 or 5, respectively, the audit of the accounts of the federation may be conducted as if it were an union whose membership did not exceed 2,500, 750 or 250 respectively.

(3) The threshold limit of Pension mentioned in this Regulation shall be as modified by the Commissioner of Labour from time to time.

19-A. Notwithstanding anything contained in Regulation 19, any registered trade union may apply to the Registrar to arrange for the audit of the accounts of the union. On receipt of such application, the Registrar shall subject to any general or special order of the Government, arrange for an audit of the accounts. The cost of such audit arranged through the Registrar shall be borne by the Government. [A copy of the report of such audit shall be sent by the Registrar to the trade union concerned and copy filed in his office. [A copy of the report shall be furnished by the Registrar to any person on application made with Court-fee stamp of one rupee affixed to it and accompanied by a sufficient member of copy stamp papers each of the value of as may be notified by the Commissioner of Labour.

Provided that application is made after the expiration of twelve months from the date of the report, an additional searching fee of rupees two shall be charged].

20. Notwithstanding anything contained in Regulation 19, no person who, at any time during the year, entrusted with any part of the funds or securities belonging o the trade union shall be eligible to audit the accounts of that union.

21. The auditor or auditors appointed in accordance with the regulations shall be given access to all the books of the trade union and shall verify the annual return with the accounts and vouchers relating thereto and shall thereafter sign the auditor's declaration appended to Form-E indicating separately on that from under his signature or their signatures a statement showing in what respect he or they find the returns to be incorrect, un vouched or not in accordance with the Act.

The particulars given in this statement shall indicate:

(a) Every payment which appears to be unauthorized by the rules of the trade union or contrary to the provisions of the Act.

(b) The amount of any deficiency or loss which appears to have been incurred by the negligence or misconduct of any person; and

(c) The amount of any sum which ought to have been is not brought to account by any person.

22. The audit of the political fund of registered trade union shall be carried out along with the audit of the general account of the trade union and by the same auditor or auditors.

23. (1) The register of the trade unions maintained in accordance with regulation 4 shall be open to inspection by any person on payment of a fee of as notified by the Commissioner of Labour.

(2) Any documents in the possession of the Registrar received from a registered trade union may be inspected by any person on payment of a fee as notified by the Commissioner of Labour for each document inspected.

(3) Documents shall be open to inspection on all days which the office of the Registrar is open and within such hours as may be fixed for this purpose by the Registrar.

(4) The Registrar shall furnish a certified copy of any of the documents specified in Clause (12) to a registered trade union or a member thereof, on application made and on payment of copying fee as notified by the Commissioner of Labour.

Provided that if such application is made after the expiration of twelve months from the date of receipt of such document in the office of the Registrar, an additional searching fee of rupees two shall be charged.

24. The fees paid to the Government under these regulations shall be credited into the Government Treasury to the head of account as notified by the Commissioner of Labour.

25. The Andhra Pradesh Trade Union Regulations, 1927, are hereby repealed.

Provided that anything done or any action taken there under shall be deemed to have been done or taken under these regulations.

[FORM A]

(See Regulation 3)

Section 8 of the Industrial Relations Code 2020

Application for Registration of Trade Unions

Name of the Trade Union.....
Address.....
Dated the.....day of 20.....

1. This application is made by the persons whose names are subscribed at the foot hereof.

2. The name of the registered Trade Union (under which it is proposed that the Trade Union, on behalf of which this application is made, shall be registered) is.....as set forth in Rule No.....

3. The address of the Head Office of the Union to which all communications and notices may be addressed is.....

4. The .....Union came in to existence on the .....day of .....20.....

5. The Union is a Union of employers/workers engaged/employed in the.....industry or..... profession/or..... establishment, and has.....members.

6. The particulars required by Section 8 of the Industrial Relations Code 2020, are given in Schedule I.

7. The particulars given in Schedule II show the provision made in the rules for the matters detailed in Section 8 of the Industrial Relations Code 2020.

8. (To be struck out in case of unions which have not been in existence for one year before the date of application). The particulars required by Section 8 of the Industrial Relations Code 2020 are given in Schedule III.

9. One copy of the rules of the Union duly attested by all of us is attached to this application.

10. We have been duly authorised to make this application by.

Name	Signature	Occupation	Address
Signed			
(1)			
(2)			
(3)			
(4)			
(5)			
(6)			
(7)			

To
The Registrar of Trade Unions,
Andhra Pradesh, Vijayawada

*State here whether the authority to make this application was made by a resolution of a General Meeting of the Trade Union, or if not, in what other way it was given.

SCHEDULE-I

(See Regulation 3)

Industrial Relations Code 2020

List of Office-bearers

Name of the Trade Union.....

Office held in Union	Name	Age	Address	Occupation

SCHEDULE-II

Reference to Rules

The numbers of the rules making provisions for the several matters detailed in column(1) are given in column(2) below.

Matter	Number of rules
(1)	(2)
Name of the Union	
The whole of the objects for which the Union has been established.	
The whole of the purposes for which the general funds Of the Union shall be applicable.	
The maintenance of a list of members.	
The facilities provided for the inspection of the list of members by office-bearers, and members.	
The admission of ordinary members.	
The admission of honorary and temporary members.	
The conditions under which members are entitled to benefits assured by the rules.	
The conditions under which fines or forfeitures can be imposed or varied.	
The manner in which rules shall be amended, varied or rescinded.	
The manner in which the members of the executive and the other officers of the Union shall be appointed and removed.	
The safe custody of the funds.	
The annual audit of the accounts.	
The facilities for the inspection of the account books By officers and members.	
The manner in which the Union may be dissolved.	

SCHEDULE III

[This need not be filled in if the Union came into existence less than one year before the date of application for registration.

Statement of Liabilities and Assets on the.....day..... 20.....A.D.

Liabilities	Rs.P.	Assets	Rs.P.
Amount of General Fund		Cash	
Amount of Political Fund		In hand of Treasury	
		In hand of Secretary	
Loan From.....		In hand of	
		In the .....Bank	
Debts from		In the .....Bank	
Debts due to.....		Securities as per list below.	
Other liabilities		Unpaid subscriptions due.	
(to be specified)		Loans to	
		Immovable Property	
		Goods and furniture	
		Other assets (details to be specified)	
Total Liabilities:		Total Assets:	

List of Securities

Particulars	Face value/Cost price	Market value	In hands of
1.	5.		
2.	6.		
3.	7.		
4.	8.		

Signed

[CERTIFICATE]

Certified That None of the Office-bearers or Executive members appointed for the year has been convicted by any Court in India of any offence involving moral turpitude and sentenced to imprisonment.

Place:

Date: General Secretary].

FORM B

(See Regulation 4)

Register of Trade Unions

1. Serial Number.
2. Date of Registration.
3. (a). Name of the members making the application.

   (b). Occupations of the members making the application.

   (c). Address of the members making the application.
4. Name of Trade Union.
5. Address of the head office of Trade Union.
6. Date of Establishment of Trade Union.
7. Office-bearers of Trade Union.

   Title Name

   Age. Occupation.

   Address
8. Signature of Registrar.
9. (a). Whether provision has been made for a separate fund under section 15(2) and if so from what date.
10. (a). Date of intimation for alteration of rules;

    (b). Date of registration of alteration of rules and issue of a certified copy thereof;

    (c). Initials of the Registrar.
11. (a). Date of Registration of Change of address for registered office;

    (b). Address of the Trade Union as changed.

    (c). Initials of Registrar.
12. (a). Date of Registration of change of name;

    (b). Name of the Trade Union as changed;

    (c). Initials of the Registrar;
13. (a). Date of registration of amalgamation;

(b). Name of the amalgamated union;

(c). Registration number of the amalgamated union;

(d). Initials of the Registrar.

14. (a). Date of application for cancellation of registration under Section 9;

(b).Date of giving notice for cancellation or withdrawal under Section 9;

(c). Date of issue of order withdrawing or cancelling registration;

(d). Initials of the Registrar.

15. (a) (1) Names of the members applying for dissolution;

(2) Occupation of the members applying for dissolution;

(3) Address of the members applying for dissolution;

(b) Date of registration of dissolution and issue of certificate to that effect;

(c) Number and date of Registrar's proceedings ordering distribution of funds under Section 25(2), if any;

(d) Initial of Registrar;

Note:- One page shall be allotted for each Union.

FORM C

[See Regulation 5(1)]

Certificate of Registration of Trade Union

No.

It is hereby certified that the.....has been registered under the Industrial Relations Code 2020on this..... day of .....20.....

SEAL

Registrar of Trade Unions

For the State of Andhra Pradesh

FORM CC

[See Regulation 6]

Application for withdrawal or cancellation of certificate of registration

Name of Trade Union.....Registration Number.....
Address.....Dated the..... day of .....20.....

To
The Registrar of Trade Unions,
Andhra Pradesh.

The above-mentioned trade union desires that its certificate of registration under the Section 9 of the Industrial Relations Code 2020, may be withdrawn or cancelled Resolution passed at a general meeting duly held on the ..... day .....20.....

(Here give exact true copy of the resolution)
(Signed)

If not at a general meeting, state in what manner the request has been determined upon.]

FORM D

Office of registrar of Trade Union for the State of Andhra Pradesh.

Place:

Industrial Relations Code, 2020(35 of 2020)
Notice before withdrawal or cancellation of certificate of registry
[Section 9(5) of the Code]

Notice is hereby given to the abovc mentioned Trade Union that it is the intention of the Registrar to proceed on the date of.....20.....to withdraw (or cancel) the certificate of registration of the Trade Union, unless causc be shown to the contrary in the meantime.

The ground of such proposed withdrawal (or cancellation) is (or mistake), or that the Trade Union has sealed to exit or has wilfully and after notice from me violated the provisions of the above mentioned Act, or allowed its rule..... to continue in force which is/or inconsistent with the provisions of the Act or has rescinded its rule..... providing for a matter, provisions for which is required by Section 6. (The facts should be briefly specified where practicable).

Dated.....day of.....20.....

SEAL

(Signature)
Registrar of Trade Unions,
For the State of Andhra Pradesh.

The date entered here shall not be less than two months from the date of notice.

To
The Secretary of.....

(Here enter the name of Trade Union)

[FORM DD]
(See Regulation 11-A)

Notice of Change of address of the head office of a Registered Trade Union

Name of the Trade Union..... Registration Number.....
Address..... Dated the..... day of.....20.....

To
The Registrar of Trade Unions,
Andhra Pradesh.

Notice is hereby given that the head office of the above mentioned trade union has been removed from..... and is now situated at ..... in .....

(Signed)
Secretary

This part to be detached by the Registrar when the notice is registered and returned to the trade union.

SEAL

Received this day..... notice of removal to the head office of the trade union bearing Registration No.....

(Signed)
Registrar of Trade Unions

[FORM DDD]
[See Regulation 12(2)]
Notice of Change of Name

Name of trade union already registered.....
Registration No..... Address.....
Dated this..... day of.....20.....

To
The Registrar of Trade Unions.
Andhra Pradesh.

Notice is hereby given that subject to the provisions of Section 24 of the Industrial Relations Code 2020, the name of the above mentioned trade union has been changed to.....

The consent of the members was obtained by

(Signed)
Secretary

(1)
(2)
(3)
(4) members,
(5)
(6)
(7)

FORM DDDD

[See Regulation 13(1)]

Notice of amalgamation of Trade Union

A. Name of registered trade union.....
Number of registration.....

B. Name of registered trade union.....
Number of registration (and so in if more than two)

Address

Dated day of 19

To
The Registrar of Trade Unions,
Andhra Pradesh,

Notice is hereby given that in accordance with the requirements of Section-24 of the Industrial Relations Code 2020, the members of the above mentioned trade unions have resolved to become amalgamated together as one trade union.

And that the following are the terms of the said amalgamation (state the terms).

And that it is intended that the trade unions shall hence forth be called the.....

Accompanying this notice is a copy of the rules intended to be hence forth adapted by the amalgamated trade union which are the rules (if so) of the.....

(To be signed by seven members and the Secretary of each trade union,)
(Signed)
Secretary

(1)
(2)
(3)
(4) members,
(5)
(6)
(7)

FORM DDDDD

[See Regulations 17(l)]

Notice of the dissolution of Trade Union

Name of the trade union..... Registration No.....
Address.....
Dated the

To
The Registrar of Trade Union,
Andhra Pradesh.

Notice is hereby given that the above-mentioned trade union was dissolved in pursuance of the rules thereof on the .....day of.....
20.....

We have been duly authorized by the union to forward this notice on its behalf, such authorization is based on a resolution passed at a general meeting on the*

Dated.....20.....

(Signed)
Secretary

(1)
(2)
(3)
(4) members,
(5)
(6)
(7)

*Here insert the date. or if there was no such resolution state in what other way the authorisation was given]

FORM E

[See Regulations 18]

[Form for Trade Union]

Annual Return prescribed Section 26 of the Industrial Relations Code 2020, for the year ending [31st December, 20].

PART A

(1) Name of the Union
(2) Address of the Union
(3) Registered of Head Office
(4) Number and date of Certificate of Registration
x(5) Classification of industry (to be shown as per Schedule of industries attached).
(6) Classification of sector please state to which of the following 4 categories of Union belongs---
    (a) Public Scctor, Central sphere
    (b) Public Sector, State sphere
    (c) Private Sector, Central sphere and
    (d) Private Sector, State sphere
x(7) Name of the All-India Body/Federation to which affiliated
x(8) Affiliation Number
x(9) Affiliation fee paid during the year
x(10) Number and date of receipt for payment of affiliation fcc
x(11) Membership fee per month
(12) No.of members on books at the beginning of the year
(13) No.of members admitted during the year
(14) No.of members who left during the year
(15) No.of member in books at the end of year
[i.e. on 31st December, 20] Male female Total
(16) No.of members contributing to political fund
*(17) No.of members who paid their subscription for the whole year
(18) A copy of the rules of Trade Unions corrected upto the date of dispatch of this return is appended.
*(19) Part B of the Return overleaf has been duly completed.

Dated the ..... Secretary

x If the Union falls under more than one category, the membership claimed in each category, may be shown separately.

PART B

General Fund Account

[Income and Expenditure Statement]

Income	Rs. Ps.	Expenditure	Rs. Ps.
Balance at beginning of the year (Subscription from members including unpaid subscription due for the year)		Salaries and allowances of officers. Travelling allowance salaries, allowances and expenses of establishment.	
x (a) Subscription received		Auditors fee.	
x (b) Subscription in arrears for three months or less		Legal expenses.	
x (c) Subscription in arrears for more than three months		Expenses in conducting trade Disputes	
Donations.		Compensation paid to members, for Loss arising out of trade disputes	
Sale of Periodicals, books, rules, etc.		Funeral, old age, sickness, unemployment benefits, etc.	
Interest on investment.		Cost of publishing periodicals.	
Income from miscellaneous source (to be specified)		Rent, rates and taxes.	
		Stationery, Printing and Postage	
		Expenses incurred under Section 15of the Industrial Relations Code 2020(to be specified).	
		Other expenses (to be specified)	
		Balance at the end of the year	
Total:		Total:	

PART C

Political Fund Account

	Rs. Ps.		Rs. Ps.
Balance at beginning of the year		Payments made on the object specified Section 15 of the Industrial Relations Code 2020(to be specified).	
Contributions from members at.....		Expenses of management (to be fully specified).	
		Balance at the end of the year.	
Total:		Total:	
		Treasurer.	

PART D

Statement of Liabilities and Assets on the 31st day of December, 20.....

Liabilities	Rs. Ps.	Assets	Rs. Ps.
Amount of General Fund		Cash	
Amount of Political Fund		In hands of Treasurer	
Loans from-----		In hands of Secretary	
		In hands of-----	
		In the.....Bank	
		In the.....Bank	
		Securities as per list below	
		Unpaid subscription due for	
		*(a) the year	
		*(b) previous year	
Debts due to		Loans to	
		*(a) Officers	
		*(b) Members	
		*(c) Others	
Other liabilities (to be specified)		Immovable property, goods and Furniture, other assets to be Specified).	
Total Liabilities:		Total Assets:	

PART E

List of Securities

Particulars	Face Value	Cost or Price	Market price at date on which accounts have been made up	In hands of
(1)	(2)	(3)	(4)	(5)

Treasurer

Auditor's Report

We have audited the foregoing, 'General Fund Account' in Part B and the 'Political Fund Account' in Part C of the .....(name of the Trade Union) for the year..... And also the Statement of liabilities and assets in Part D and the List of Securities in Part E of the said Trade Union as on ..... and report that

(i) We have obtained all the information and explanation and have had access to all the books and accounts of Trade Union which were necessary for the purposes of our audit.

(ii) The Trade Union has properly maintained its membership register and its books of accounts required by law:

(iii) (Subject to whatever remarks or qualifications the auditor wants to make) In our opinion and to the best of our information and according to the explanation given to us, the foregoing accounts, statement and

list have been properly drawn up and they give a true and correct view of income, expenditure, assets and liabilities of the Trade Union.

Note:-- If the state of the Account is such that Auditor is unable to express the opinion on the 'True and correct' aspect of the Accounts, Statement and the List, he should state his reasontherefor.

Auditors(s)/Chartered Accountant

The following changes of Officers have been made during the year.

Officers Relinquishing Office

Name	Office	Date of Relinquishing Office

Officers Appointed

Name	Date of Birth	Private address	Personal occupation	Title of position held in union	Date on which appointment in Column 5 was Taken up	Other officers held in addition to membership of executive with date
(1)	(2)	(3)	(4)	(5)	(6)	(7)

Elections

Date of last election Of office-bearers

Date of next election of office-bearers

Secretary.

FORM FOR FEDERATION OF TRADE UNIONS

Annual Return prescribed Section 26 of the Industrial Relations Code 2020, for the year ending 31st December, 20

PART A

(1) Name of the Federation
x(2) Address of the Federation
(3) Registered Head Office
(4) Number and date of Certificate of Registration
x(5) Classification of Industry (to be shown as per Schedule of Industries attached).
x(6) Classification of sector (please state to which of the following 4 categories the Federation belongs-
(a) Public Sector, Central sphere
(b) Public Sector, State sphere
(c) Private Sector, Central sphere
(d) Private Sector, State sphere)
x(7) Name of the All-India Body to which affiliated
x(8) Affiliated Number
x(9) Affiliation fee paid to the All-India Body to which affiliated during the year.
x(10) Date of payment of affiliation fee to the All-India Body

x(11) Membership fee charged from affiliated Unions by the Federation.
xx(12) No. of affiliated unions at beginning of the year and their membership.
xx(13) No. of unions joining during the year and their membership.
xx(14) No. of unions disaffiliated during the year and their membership.
xx(15) No. of affiliated unions at the end of the year and their membership.
(16) No. of members contributing to political fund.
x(17) No. of unions which paid their affiliation fee for the whole year.

(18) A copy of the rules of Federation corrected up to the date of despatch of this return is appended.
x(19) Part B of the return overleaf has been duly completed.

Dated the..... Secretary

x If the federation falls under more than one category, the membership claimed in each category, may be shown separately.

xx Names of unions should be shown in separate statements marked ABCD.

PART B

General Fund Account

[Income and Expenditure Statement]

Income	Rs. Ps.	Expenditure	Rs. Ps.
Balance at beginning of the year		Salaries and allowances of officers. Travelling allowance	
(Subscription from members including unpaid subscription due for the year)		salaries, allowances and expenses of establishment.	
x (a) Subscription received		Auditors fee.	
x (b) Subscription in arrears for three months or less		Legal expenses.	
x (c) Subscription in arrears for more than three months		Expenses in conducting trade Disputes	
Donations.		Compensation paid to members, for Loss arising out of trade disputes	
Sale of Periodicals, books, rules, etc.		Funeral, old age, sickness, unemployment benefits, etc.	
Interest on investment.		Cost of publishing periodicals.	
Income from miscellaneous source (to be specified)		Rent, rates and taxes.	
		Stationery, Printing and Postage	
		Expenses incurred under Section 15 of the Industrial Relations Code 2020(to be specified).	
		Other expenses (to be specified)	
		Balance at the end of the year	
Total:		Total:	

PART C

Political Fund Account

	Rs. Ps.		Rs. Ps.
Balance at beginning of the year		Payments made on the objects specified in Section 15 of the Industrial Relations Code 2020(to be specified).	
Contributions from members at.....		Expenses of management (to be fully specified).	
		Balance at the end of the year.	
Total:		Total:	
		Treasurer.	

PART D

Statement of Liabilities and Assets on the 31st day of December, 20.....

Liabilities	Rs. Ps.	Assets	Rs. Ps.
Amount of General Fund		Cash	
		In hands of Treasurer	
		In hands of Secretary	
		In hands of-----	
Amount of Political Fund		In the.....Bank	
		In the.....Bank	
		Securities as per list below	
Loans from-----		Unpaid subscription due for	
		*(a) the year	
		*(b) previous year	
Debts due to		Loans to	
		*(a) Officers	
		*(b) Members	
		*(c) Others	
Other liabilities (to be specified)		Immovable property, goods and Furniture, other assets to be Specified).	
Total Liabilities:		Total Assets:	

PART E

List of Securities

Particulars	Face Value	Cost or Price	Market price at date on which accounts have been made up	In hands of
(1)	(2)	(3)	(4)	(5)

Treasurer

Auditor's Report

We have audited the foregoing, 'General Fund Account' in Part B and the 'Political Fund Account' in Part C of the .....(name of the Trade Union) for the year ending ..... And also the Statement of liabilities and assets in Part D and the List of Securities in Part E of the said Trade Union as on ..... and report that---

(i) We have obtained all the information and explanation and have had access to all the books and accounts of Trade Union which were necessary for the purposes of our audit.

(ii) The Trade Union has properly maintained its membership register and its books of accounts s required by law:

(iii) (Subject to whatever remarks or qualifications the auditor wants to make) In our opinion and to the best of our information and according

to the explanation given to us, the foregoing accounts, statement and list have been properly drawn up and they give a true and correct view of income, expenditure, assets and liabilities of the Trade Union.

Note:-- If the state of the Account is such that Auditor is unable to express the opinion on the 'True and correct' aspect of the Accounts, Statement and the List, he should state his reason there for.

Auditors(s)/Chartered Accountant

The following changes of Officers have been made during the year.

Officers Relinquishing Office

Name	Office	Date of Relinquishing Office

Officers Appointed

Name	Date of Birth	Private address	Personal occupation	Title of position held in union	Date on which appointment in Column 5 was Taken up	Other officers held in addition to membership of executive with date
(1)	(2)	(3)	(4)	(5)	(6)	(7)

Elections

Date of last election of office-bearers

Date of next election of office-bearers

Secretary.

FORM F

Register of Membership and Subscription

Serial Number	Token of work number	Name	Date of admission	Occupation	Pay (Rate)	Subscription (Rate)
(1)	(2)	(3)	(4)	(5)	(6)	(7)

Subscription paid						
Jan. (a)	Feb. (b)	Mar. (c)	April. (d)	May. (e)	June. (f) Total	Amount outstanding at the end of the year.
July. (g)	Aug. (h)	Sep. (i)	Oct. (j)	Nov. (k)	Dec. (l)	
		(8)		(9)		(10)
				Rs. Ps.		Rs. Ps.

FORM G

[See Regulation 13-A(l)]

Name of Trade Union:
Registration No:
Address:

To

The Registrar of Trade Unions,
Andhra Pradesh, Hyderabad.

Notice is hereby given that the under mentioned office-bearers/members of the executive committee of the union have been convicted and sentenced to imprisonment by a Court (give the name of the Court) of an offence involving moral turpitude.

(1) Name or names of the office-bearers, member/members of executive committee convicted.
(2) Offence
(3) Date of conviction
(4) Period of sentence

Action has been taken to remove the above person(s) from the post(s) held by him/them.

Place:
Date:

General Secretary.

M.V. SESHAGIRI BABU,
Secretary to Government .

--x--

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